

**KAGEL LAW**  
A Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
TELEPHONE: (310) 860-9975  
E-MAIL: dkagel@earthlink.net

January 8, 2018

Nathan Van-Tuyl  
NVanthuyl@gmail.com

Dear Mr. Van-Tuyl:

This firm acts as counsel to David Saffron. We understand that you will be depositing bitcoin and other forms of cryptocurrency with Mr. Saffron which he will be investing on your behalf. He has agreed to return your investment to you together with a profit. In order to assure that your deposit will be returned in the event that Mr. Saffron is unable or unwilling to do so he has deposited at least one thousand bitcoin in a wallet to which he has given us access. He has agreed to at all times maintain the deposit in the wallet and give this firm unrestricted access to it. If you have not received the return of your deposit from Mr. Saffron following ten business days' notice to him with a copy to us, upon five business days' notice to us we will return your deposit from the aforementioned wallet.

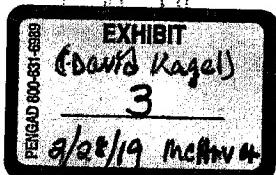
You agree to copy us on all written communication between you and Mr. Saffron and to advise us of the contents of all verbal communications between the two of you.

Very truly yours,

Kagel Law, a Professional Corporation

By

David L. Kagel



KAGEL LAW  
A Professional Corporation  
1801 Century Park East, Suite 1201  
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January 10, 2018

Frank Calabro, Jr.  
[frankiecalabrojr@gmail.com](mailto:frankiecalabrojr@gmail.com)

Dear Mr. Calabro:

This firm acts as counsel to David Saffron. We understand that you will be depositing bitcoin and other forms of cryptocurrency with Mr. Saffron which he will be investing on your behalf. He has agreed to return your investment to you together with a profit. In order to assure that your deposit will be returned in the event that Mr. Saffron is unable or unwilling to do so he has deposited at least one thousand bitcoin in a wallet to which he has given us access. He has agreed to at all times maintain the deposit in the wallet and give this firm unrestricted access to it. If you have not received the return of your deposit from Mr. Saffron following ten business days' notice to him with a copy to us, upon five business days' notice to us we will return your deposit from the aforementioned wallet.

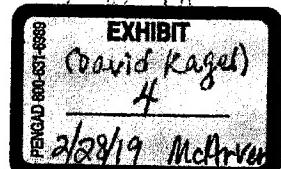
You agree to copy us on all written communication between you and Mr. Saffron and to advise us of the contents of all verbal communications between the two of you.

Very truly yours,

Kagel Law, a Professional Corporation

By

David L. Kagel



**Exhibit 15 - Transcript of Preston Sterling Kerr Testimony  
Under Oath**

**Saffron, David G; Kagel, David**

**Kerr, Sterling 03/27/2019**

**3/27/2019 9:20 AM**

**Condensed Transcript**

**Prepared by:**

**George Malas  
CFTC**

**Monday, September 23, 2019**

	Page 1		Page 3
1		1	
2	)	2	
3	)	3	
4	)	4	<b>EXAMINATION INDEX</b>
5	IN RE: DAVID G. SAFFRON and ) DAVID L. KAGEL )	5	EXAMINATION BY: PAGE NO.
6	)	6	
7	)	7	MR. MULREANY 4
8	)	8	MR. MARSH 207
9	)	9	
10	)	10	<<<< >>>>
11		11	
12	EXAMINATION UNDER OATH OF P. STERLING KERR	12	
13	VOLUME I	13	<b>EXHIBIT INDEX</b>
14	Taken on Wednesday, March 27, 2019	14	EXHIBIT NO. DESCRIPTION PAGE NO.
15	By a Certified Court Reporter	15	
16	At 9:20 a.m.	16	
17	At 501 Las Vegas Boulevard South	17	(All Exhibits Retained by Counsel for CFTC)
18	Las Vegas, Nevada	18	
19		19	
20		20	<<<< >>>>
21		21	
22	Reported by: Wendy Sara Honable, CCR No. 875	22	
23	Nevada CSR No. 875	23	
24	California CSR No. 13186	24	
25	Washington CCR No. 2267	25	
	Utah CCR No. 7357039-7801		
	Page 2		Page 4
1		1	<b>PROCEEDINGS</b>
2		2	(Counsel stipulated to waive
3	APPEARANCES	3	the reporter requirements
4		4	under Rule 30(b)(4).)
5	For the Commodity Futures Trading Commission:	5	(Witness sworn.)
6	Timothy J. Mulreany	6	
7	George H. Malas	7	P. STERLING KERR,
8	Division of Enforcement	8	having been first duly sworn, was
9	1155 21st Street Northwest	9	examined and testified as follows:
10	Washington, DC 20581	10	
11	202.418.5000	11	
12	202.818.3129 Fax	12	<b>EXAMINATION</b>
13	tmulreany@cftc.gov	13	BY MR. MULREANY:
14	gmalas@cftc.gov	14	Q. Could you please state your full name for
15	For the Deponent:	15	the record, sir.
16	Russell E. Marsh	16	A. My full name is Preston Sterling Kerr.
17	Wright Marsh & Levy	17	Q. And what's your home address?
18	300 South Fourth Street	18	A. [REDACTED], Henderson,
19	Suite 701	19	Nevada.
20	Las Vegas, Nevada 89101	20	Q. All right. Mr. Kerr, my name is Timothy
21	702.382.4004	21	Mulreany, and I'm a chief trial attorney at the
22	russ@wmllawlv.com	22	United States Commodity Futures Trading Commission.
23		23	If it's acceptable to you, I'm going to
24		24	refer to the United States Commodity Futures Trading
25		25	Commission as the CFDC.
	<<<< >>>>		

<p style="text-align: right;">Page 45</p> <p>1 were deposited into your personal Coinbase account?</p> <p>2 A. I don't know offhand. I would have to go</p> <p>3 through the records and total it up. I know</p> <p>4 recently that I received two retainers from him.</p> <p>5 Q. Okay. Do you recall those recently</p> <p>6 received retainer amounts?</p> <p>7 A. Yeah. They were 5 Bitcoin each, so</p> <p>8 roughly 19,000.</p> <p>9 Q. Okay. While we're getting these together</p> <p>10 -- and it's my fault, not George's -- are you aware</p> <p>11 of any Instagram, Twitter, or phone applications,</p> <p>12 otherwise known as apps, utilized by Circle Society?</p> <p>13 A. I'm not.</p> <p>14 Q. Okay. Sir, I'm going to show you what we</p> <p>15 are going to identify as Exhibit No. 36, and I will</p> <p>16 represent for the record that it's a copy of your</p> <p>17 Coinbase transaction history received by the CFTC</p> <p>18 pursuant to subpoena served upon Coinbase.</p> <p>19 And I will further note that we received</p> <p>20 that as part of your voluntary corporation with the</p> <p>21 CFTC as well.</p> <p>22 Have you seen that before, sir?</p> <p>23 A. I have.</p> <p>24 Q. For the record, that's a four-page</p> <p>25 document; is that correct?</p>	<p style="text-align: right;">Page 47</p> <p>1 (Exhibit Nos. 36 and 37 marked</p> <p>2 for identification.)</p> <p>3</p> <p>4 MR. MULREANY: Let's go off the record at</p> <p>5 10:12 while Mr. Kerr is reviewing that document.</p> <p>6 (Recess 10:12 to 10:13 a.m.)</p> <p>7</p> <p>8</p> <p>9 MR. MULREANY: Back on the record at</p> <p>10 10:13.</p> <p>11 THE WITNESS: So I know some from memory,</p> <p>12 which I have highlighted here, but I know he also</p> <p>13 paid his bills during the course of the fall and</p> <p>14 early -- of 2018 and 2019 via Bitcoin.</p> <p>15 So I know some of these transactions in</p> <p>16 October, November, and December are probably from</p> <p>17 David. I'm guessing on -- the ones I'm guessing on,</p> <p>18 I will put an X by, because that looks like what the</p> <p>19 bill amount was, and just the timing of it because</p> <p>20 they send bills out the first week.</p> <p>21</p> <p>22 EXAMINATION (Continuing)</p> <p>23 BY MR. MULREANY:</p> <p>24 Q. Of the month?</p> <p>25 A. Yeah.</p>
<p style="text-align: right;">Page 46</p> <p>1 A. Yes.</p> <p>2 Q. If I were to hand you a highlighter,</p> <p>3 could you highlight those transactions that are</p> <p>4 associated with Mr. Saffron?</p> <p>5 A. I'm going to highlight what I recall from</p> <p>6 my memory.</p> <p>7 Q. That's all I can ask. I also have, for</p> <p>8 the record, which we received just recently, a</p> <p>9 spreadsheet which contains notations and hash</p> <p>10 transaction numbers from Coinbase that were not</p> <p>11 supplied in the original production.</p> <p>12 For the record, I'm going to provide a</p> <p>13 copy to your counsel --</p> <p>14 MR. MULREANY: -- which you can keep,</p> <p>15 Mr. Marsh, because we indicated to you that we would</p> <p>16 provide you with the documents that we received from</p> <p>17 Coinbase, and that is one of the documents we</p> <p>18 received from Coinbase.</p> <p>19 MR. MARSH: I have it as well.</p> <p>20 MR. MULREANY: Oh, you have it?</p> <p>21 MR. MARSH: I think I have it in a larger</p> <p>22 version, though.</p> <p>23 MR. MULREANY: For the record, the</p> <p>24 detailed transaction data has been marked as Exhibit</p> <p>25 37.</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. And when you say "David," for the record,</p> <p>2 you're referring to Mr. Saffron?</p> <p>3 A. Correct.</p> <p>4 Q. Okay. Thank you, sir.</p> <p>5 MR. MULREANY: For the record, Mr. Kerr</p> <p>6 has handed me what's been marked as Exhibit 36,</p> <p>7 which he has been kind enough to highlight certain</p> <p>8 transactions. If we can go through them.</p> <p>9 For the record, there's a transaction of</p> <p>10 5 Bitcoin --</p> <p>11 BY MR. MULREANY:</p> <p>12 Q. And just so our record's clear, when the</p> <p>13 document refers to "BTC," that's an acronym for</p> <p>14 Bitcoin; is that correct, sir?</p> <p>15 A. Correct.</p> <p>16 Q. All right. And so dated March 8th, 2019,</p> <p>17 there's 5 Bitcoins you received; is that correct?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. And on February 27, 2019, you also</p> <p>20 received 5 Bitcoins; is that correct?</p> <p>21 A. Correct.</p> <p>22 Q. Okay. And each of those transactions</p> <p>23 were worth approximately \$19,000; is that correct?</p> <p>24 A. That's right.</p> <p>25 Q. Okay. There is also a highlighted entry</p>

<p style="text-align: right;">Page 49</p> <p>1 on September 5, 2018, in which you received just 2 over 0.2 Bitcoins; is that correct? 3 A. Correct. 4 Q. Okay. 5 A. I think that corresponds with the fee 6 that I charged to set up the corporation Circle 7 Society Corp. 8 Q. And then you have a number of 9 transactions highlighted, of which you are unsure if 10 they are associated with Mr. Saffron; is that 11 correct? 12 A. Yeah. There actually could be more -- 13 Q. Okay. 14 A. -- Bitcoin transfers, but I know that -- 15 my understanding is, is that when we would send out 16 a bill, he could review it in the portal, and he 17 would pay it via Bitcoin billed via Bitcoin, and so 18 I've highlighted and put an X next to the ones that 19 I think are payments against a fee. 20 Q. Okay. So on Page 2 of 4 of Exhibit 36, a 21 transaction dated December 7, 2018, there's a -- you 22 received just over 0.8 Bitcoin; is that correct? 23 A. Based on that record, yes, I think that's 24 correct. 25 Q. And then there's a second transaction on</p>	<p style="text-align: right;">Page 51</p> <p>1 of Exhibit 36 that's been highlighted; is that 2 correct? 3 A. However, I -- for the record, there may 4 be more transactions than that. Those are the ones 5 that I'm fairly certain of or know for sure, like 6 the two 5 coin ones that were just recent that were 7 in my Coinbase account, which, by the way, just so 8 it's clear, I have one Coinbase account, and I use 9 it -- and it's in conjunction with my own personal 10 things. 11 But it's also the same account I use for 12 business-related transactions. Since it's a new 13 thing and it's -- you know, at the end of the day, 14 not a lot of revenue is generated through that. 15 Q. When you receive Bitcoin from a client 16 into your personal Coinbase account for unearned 17 fees, when those fees are earned, how do you -- 18 what's the disposition of the funds in your Coinbase 19 account? 20 A. So sometimes it is the -- let's put it 21 this way: The Coinbase account is connected to a 22 Chase Bank account that I have, so I can take the 23 Bitcoin and convert it into US dollars and then 24 write it a check and bring that back into the firm's 25 general account.</p>
<p style="text-align: right;">Page 50</p> <p>1 Page 2 of 4 of Exhibit 36 dated November 9, 2018, in 2 which you received just over 0.6 Bitcoin; is that 3 correct? 4 A. Correct. 5 Q. And there's a third transaction on Page 2 6 of 4 of Exhibit 36 dated September 10, 2018, for 7 just over 0.7 Bitcoin; is that correct? 8 A. I think so. 9 Q. There's a fourth on Page 3 of 4 dated 10 June 15, 2018, in which you received 0.4 Bitcoin; is 11 that correct? 12 A. Yes, but 0.4 -- I think 0.2 of that was 13 Bitcoin that I had sent to David, and then I think 14 within half an hour he sent back that amount, so it 15 doubled the amount of coin that I sent him. 16 Q. Okay. And that all took place on June 17 15, 2018? 18 A. Yes. 19 Q. Okay. And that's reflected in the 20 immediately preceding transaction in which it 21 indicates that, on 6/15/2018, you sent Bitcoin to a 22 wallet with the last four digits kR8S 0.2 Bitcoin; 23 is that correct? 24 A. Yes. 25 Q. Okay. And there's nothing on Page 4 of 4</p>	<p style="text-align: right;">Page 52</p> <p>1 I -- I have not done that in very many 2 cases. I think there's a few times that I've done 3 that. I do have a recollection of one time with 4 Mr. Saffron, because I had to pay for inspections on 5 a house that he was interested in buying, and that's 6 what he had retained my firm to do. 7 And so I was providing -- I was paying 8 the inspectors that were doing it, like the home 9 inspectors, from those funds, and he had paid the 10 firm through the Coinbase account in Bitcoin. 11 Q. Let me see if I can break that down a 12 little bit. 13 Saffron deposits Bitcoin into your 14 personal Coinbase account, correct? 15 A. Yeah. Like I said, it's my personal 16 account, but I'm also the sole owner of the Law 17 Offices of P. Sterling Kerr, Professional 18 Corporation, and so, yes. 19 Q. The Law Offices of P. Sterling Kerr, 20 Professional Corporation is a professional 21 corporation, correct? 22 A. Correct. 23 Q. It is a legal entity recognized by the 24 State of Nevada, correct? 25 A. Correct.</p>

<p style="text-align: right;">Page 57</p> <p>1 A. I don't know. I don't think it has, but 2 it's -- I mean, it's possible. 3 Q. Why would you think it has not? 4 A. I don't know. I would assume that there 5 would have been some discussion between my firm and 6 a CPA regarding tax paperwork or corporate paperwork 7 for the return. 8 Q. Okay. Who is David Gilbert Saffron? 9 A. He's an Australian citizen, and he's a 10 man. 11 Q. Okay. How is it you came to meet or be 12 associated with Mr. Saffron? 13 A. So I have two clients -- a gentleman 14 named Brian Johnson and another client named Justin 15 Baraglia -- who hired my law firm to help them set 16 up some business entities. 17 And in the course of my representation, 18 they indicated to me that they had met this person 19 who was trading Bitcoin and making phenomenal 20 returns and they wanted to do business with him, and 21 they wanted me to meet him. 22 And so they asked if the next time they 23 were up from California they could meet in my office 24 and invite Mr. Saffron to come. I said that would 25 be fine.</p>	<p style="text-align: right;">Page 59</p> <p>1 introduced themselves, actually. 2 Q. And do you recall what you talked about 3 with Mr. Saffron at that initial meeting? 4 A. They -- yeah. There was just a general 5 discussion. He was talking about what he did, that 6 he was a -- you know, a genius when it came to 7 mathematics and computer programming and that he had 8 created some algorithms that he called bots. 9 Q. B-o-t-s? 10 A. Yeah, I'm assuming, robot, bots. 11 And that these bots would generate trades 12 at, you know, lightning speed on the various 13 exchanges and that by making trades so quickly 14 through these bots that he was able to take an 15 amount of Bitcoin and multiply it exceedingly 16 quickly. 17 Q. Did Mr. Saffron provide you with any 18 websites to review or documents to review at that 19 time? 20 A. They probably showed me a website called 21 Omicron. 22 Q. And that would be for Omicron Trust; is 23 that correct? 24 A. I think so. 25 Q. That website is no longer active; is that</p>
<p style="text-align: right;">Page 58</p> <p>1 Q. Do you recall when that conversation took 2 place? 3 A. I'm guessing in May of 2018. 4 Q. Okay. And did there come a time when you 5 met Mr. Saffron at your office? 6 A. I did. 7 Q. And do you recall what date that was? 8 A. Not specifically, but it would be 9 sometime in May, I believe. 10 Q. Of 2018? 11 A. Yes. 12 Q. And can you describe the circumstances 13 surrounding your initial introduction and meeting 14 with Mr. Saffron purportedly in May of 2018? 15 A. Yeah. So these two clients were planning 16 on doing business with him, and I think they wanted 17 me to talk to this guy and vet him somewhat. 18 So he showed up at my office with Justin 19 and Brian, and he had like five security guards with 20 him. So they came into my office and we had a 21 meeting. 22 Q. Okay. Do you recall the names of any of 23 the security guards Mr. Saffron had accompanying him 24 to your initial meeting? 25 A. I don't. I don't know that they</p>	<p style="text-align: right;">Page 60</p> <p>1 correct? 2 A. I don't know. 3 Q. When's the last time you reviewed that 4 website? 5 A. Maybe July or August of 2018. 6 Q. Did you have anything to do with the 7 formation of Omicron Trust? 8 A. No. 9 Q. So after your initial meeting and 10 Mr. Saffron's description of himself as a genius and 11 creator of algorithmic bots, what, if anything, 12 happened? 13 A. I think that was it, and I think maybe a 14 week or so later, Justin and Brian came -- 15 Q. Mr. Johnson and Mr. Baraglia? 16 A. Right. 17 And asked me to help them figure out a 18 way that they could do business with Mr. Saffron, 19 and I proposed to them doing a hedge fund where 20 Saffron would not be the one out soliciting and that 21 any investors would be accredited investors through 22 a fund and that those guys would get their licenses 23 as registered investment advisers and that if they 24 solicited someone who wanted to be in the 25 cryptocurrency fund that -- potentially that would</p>

<p>1 be a legal way of doing it.      2 And the fund could have an investment      3 adviser contract with Saffron where he would trade      4 on behalf of the fund rather than on behalf of      5 numerous individuals.      6 Because they were -- Mr. Johnson and      7 Mr. Baraglia had friends and associates that they      8 wanted to bring in and be able to, obviously, make      9 money and make returns for through using      10 Mr. Saffron's algorithms.      11 Q. Prior to that discussion, had you ever      12 set up such a business structure?      13 A. I had done non-offshore deals, you know,      14 where we have a private placement memorandum that's      15 generated. Typically, my firm doesn't do that. We      16 typically don't create the private placement      17 memorandum.      18 That's kind of outside of what I want to      19 do, and it has a lot of liability that goes along      20 with it, but over the years, I have reviewed several      21 for clients and helped them structure and do regular      22 filings with the SEC.      23 Q. How many SEC Rule 506(c) Regulation D      24 filings have you done in the past?      25 A. Where I've actually been the one that has</p>	<p>Page 61</p> <p>1 A. In that first meeting, he was not a      2 client.      3 Q. Okay. And at the time you had your      4 initial meeting and discussion with Mr. Saffron at      5 your office in -- is it Henderson, Nevada?      6 A. Yes.      7 Q. Did Mr. Saffron merely describe his      8 business activities, or did he show you documents?      9 A. He just described it. There wasn't any      10 documents. It was really informal, and, again, it      11 was all those other people were in the conference      12 room.      13 Q. And in that initial meeting in May of      14 2018 at your law office in Henderson, Nevada, did      15 Mr. Saffron indicate to you that he had been      16 soliciting customers in the past, prior to that      17 meeting?      18 A. I don't think he said it that way, but,      19 you know, they -- he clearly indicated that there      20 was a website, and I think they showed me the      21 website.      22 It had different programs. You could,      23 you know, sign up for a program that was like a      24 30-day program that would double your money, or 45      25 days, you would get -- you know, put in 10 coin and</p>
<p>1 done the filing?      2 Q. Yes, sir.      3 A. Probably not many. I would guess maybe      4 in 30 -- or 28 years, maybe three --      5 Q. Okay.      6 A. -- but there are often times where the      7 attorney is not involved in that at all. The client      8 does it, does the filing themselves, and, you know,      9 they just come to the counsel for advice, which I      10 would guess I have done that several times over the      11 years.      12 Q. Why were you concerned that no      13 solicitations take place?      14 A. Well, I mean, from what they were      15 explaining to me and after meeting with Saffron, I      16 thought that he had a pretty big liability issue.      17 Q. Why would you think that?      18 A. Because, as I understood it, he was      19 soliciting clients that were giving him Bitcoin that      20 he was trading and guaranteeing or -- in fact, he      21 was guaranteeing a return.      22 Q. And if I can break that response down, so      23 at the time you had this discussion in or about May      24 of 2018, Mr. Saffron was not yet a client of      25 yourself or your firm, correct?</p>	<p>Page 62</p> <p>1 get 30 coin back within a certain time period.      2 And I'm just giving you examples from --      3 roughly from memory. I don't know exactly what the      4 plans were, but my discussion -- or I take that      5 back.      6 My thought was that that would create a      7 bunch of liability for Mr. Baraglia and Mr. Johnson      8 if they brought clients to David Saffron and had      9 them invest through his website.      10 Q. Did Mr. Saffron indicate to you at that      11 initial meeting that Mr. Johnson or Mr. Baraglia      12 would receive a referral fee for any customers they      13 brought to Mr. Saffron to trade Bitcoin on their      14 behalf?      15 A. Yeah. There was a referral fee payable      16 of 20 percent, I believe.      17 Q. And just so I understand that, when you      18 say "20 percent," it would be a referral fee of 20      19 percent of any amount, no matter the amount, that      20 they brought in to Mr. Saffron to trade, correct?      21 A. I believe so, yeah.      22 Q. So if they brought in a customer or      23 client who traded 10 Bitcoin, Mr. Johnson and/or      24 Mr. Baraglia would receive 2 Bitcoin as their 20      25 percent referral fee, correct?</p>

<p style="text-align: right;">Page 65</p> <p>1 A. Yeah. However, I get the sense from just 2 recalling that meeting and from other discussions I 3 had with Brian and Justin that they actually maybe 4 would not get the 20 percent, but it would be held 5 by Mr. Saffron and rolled over.</p> <p>6 So they would have an account with 7 Saffron, too, and so if they brought in 10 Bitcoin 8 from a customer and got 2 Bitcoin as a commission, 9 the 2 Bitcoin commission or referral fee, or 10 whatever it was, would go into their account with 11 Saffron.</p> <p>12 Q. Was Mr. Saffron creating accounts for 13 clients, based upon your initial meeting?</p> <p>14 Was that your understanding of what he 15 was doing?</p> <p>16 A. I mean, I don't know how to answer that 17 because I don't know exactly what he was doing. I 18 just -- based on that initial meeting, I understood 19 that people would go to the website and sign up.</p> <p>20 Q. The Omicron Trust website?</p> <p>21 A. Correct.</p> <p>22 And that if Justin or Brian had referred 23 them and advised David as such, that they would get 24 a commission or some finder's fee.</p> <p>25 Q. And I guess I'm being a little thick.</p>	<p style="text-align: right;">Page 67</p> <p>1 States; is that correct?</p> <p>2 A. I don't know. I don't know how that went 3 down. I wasn't privy.</p> <p>4 Q. Okay. You would expect that to be the 5 case, given that they are residents of the United 6 States; is that correct?</p> <p>7 A. Yeah. The part that I was not privy to 8 was how it went down in terms of solicitation. Did 9 Saffron reach out to them? Did they reach out to 10 Saffron?</p> <p>11 Because you have to understand -- and I 12 think you guys do since you're in the business of 13 regulating Bitcoin -- it's a really small community 14 of people.</p> <p>15 It seems like everybody knows everybody 16 else, and I think that's maybe how they were 17 connected with Saffron.</p> <p>18 MR. MALAS: Do you recall when, 19 approximately, Mr. Johnson and Mr. Baraglia met 20 Mr. Saffron initially?</p> <p>21 THE WITNESS: I don't know, but, as I 22 said, my connection with the whole business would 23 have occurred in May, so I would guess it would have 24 been before then.</p> <p>25 MR. MALAS: Do you think it was six</p>
<p style="text-align: right;">Page 66</p> <p>1 Were Mr. Johnson and/or Mr. Baraglia 2 clients of Mr. Saffron as of this initial meeting at 3 your law office in May of 2018?</p> <p>4 A. I mean, they could have been. I don't 5 know for sure. I don't recall.</p> <p>6 Q. At any time, were they clients of 7 Mr. Saffron?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. How do you know that?</p> <p>10 A. Well, my clients advised me.</p> <p>11 Q. Okay. At some point in time, Mr. Johnson 12 and Mr. Baraglia advised you that they were clients 13 of Mr. Saffron?</p> <p>14 A. Correct.</p> <p>15 Q. And they had provided Mr. Saffron Bitcoin 16 to trade, correct?</p> <p>17 A. Yes.</p> <p>18 Q. And Mr. Johnson is a US citizen; is that 19 correct?</p> <p>20 A. Yes.</p> <p>21 Q. And Mr. Baraglia is a US citizen; is that 22 correct?</p> <p>23 A. Correct.</p> <p>24 Q. And they were solicited by Mr. Saffron 25 while they were located somewhere in the United</p>	<p style="text-align: right;">Page 68</p> <p>1 months prior to that? More than six months?</p> <p>2 THE WITNESS: I don't know, honestly.</p> <p>3 BY MR. MULREANY:</p> <p>4 Q. How long has Mr. Johnson been your 5 client?</p> <p>6 A. Since maybe April or May of 2018. They 7 came to me first, and then I know that -- I'm pretty 8 sure that I met Saffron sometime in May, so --</p> <p>9 Q. Okay. And Mr. Baraglia, he's also been a 10 client of yours since April or May of 2018; is that 11 correct?</p> <p>12 A. Yeah. They hired me to set up a company 13 called Meta-Tech.</p> <p>14 MR. MULREANY: Okay. And that's 15 M-e-t-a-T-e-c-h.</p> <p>16 BY MR. MULREANY:</p> <p>17 Q. What -- based upon the initial meeting 18 you had with Mr. Saffron before he was your client 19 in May of 2018, what was your understanding of how 20 he would trade Bitcoin on behalf of his clients?</p> <p>21 A. Through these bots that he created, these 22 algorithms.</p> <p>23 Q. Okay. So the algorithms would 24 mechanically place trades.</p> <p>25 Where were the trades placed?</p>

<p>1 Q. Yes, sir.</p> <p>2 A. I can –</p> <p>3 Q. Okay.</p> <p>4 A. -- but I do want to explain, because I 5 think we're going way far afield -- and you need to 6 understand -- that this potential to set up this 7 fund and work with Saffron never came to fruition.</p> <p>8 Although the fund was set up, it was set 9 up for Justin, and David was no longer -- has not 10 been a part of that since probably two weeks after 11 we signed this May 18th agreement.</p> <p>12 Q. Why is that?</p> <p>13 A. Because Justin and Brian didn't feel 14 comfortable doing business with David because he had 15 made promises to them, I think, about a return on 16 coin they invested with him, and it didn't come to 17 fruition.</p> <p>18 So they lost faith in him, and then they 19 actually bought -- they paid him back the legal 20 services fee that he paid to my law firm, and my law 21 firm went forward and created the fund without 22 Saffron involved.</p> <p>23 So he's not an officer or director.</p> <p>24 There's no contracts with Saffron. He has nothing 25 to do with that fund, Meta Proprietary Fund.</p>	<p>Page 77</p> <p>1 MR. MARSH: Yeah.</p> <p>2 MR. MULREANY: Thank you.</p> <p>3 BY MR. MULREANY:</p> <p>4 Q. Have you ever been a customer of 5 Mr. Saffron?</p> <p>6 A. Yes, I have.</p> <p>7 Q. Okay. Could you describe that, please?</p> <p>8 A. I think I invested with him like 1 or 1 9 and a half Bitcoin that I had in his Omicron 10 website, and then there's also one client that I 11 have, a gentleman named Michael Alexander, who -- 12 Mr. Alexander met Mr. Saffron with me at a breakfast 13 meeting, and Mr. Alexander wanted to put coin of his 14 own with Mr. Saffron and have Mr. Saffron trade it.</p> <p>15 So there's a Coinbase record of \$300,000, 16 roughly, whatever the coin amount -- I think it was 17 50 Bitcoin -- going into my Coinbase account from 18 Michael Alexander, and then that went out, I 19 believe, the next day to David Saffron.</p> <p>20 Q. Okay. Let me break that down.</p> <p>21 A. Yes.</p> <p>22 Q. Do you recall the approximate date that 23 you became a customer of Mr. Saffron?</p> <p>24 A. (Examining documents.)</p> <p>25 MR. MULREANY: For the record, Mr. Kerr</p>
<p>1 Q. Okay. When you say "coin," you're 2 referring to Bitcoin?</p> <p>3 A. Correct.</p> <p>4 Q. And when you say "the retainer," that's 5 the \$100,000 retainer fee?</p> <p>6 A. Correct.</p> <p>7 Q. How did Mr. Saffron initially pay that 8 \$100,000 retainer fee to your firm?</p> <p>9 A. I think it was wired to our trust account 10 in cash.</p> <p>11 Q. Could you provide your attorney with the 12 wire details for that transaction, please?</p> <p>13 A. I can, as long as there's no privilege 14 issue.</p> <p>15 THE WITNESS: Is there a privilege issue?</p> <p>16 We will discuss it and we'll --</p> <p>17 BY MR. MULREANY:</p> <p>18 Q. Yeah. To the extent that anything I'm 19 asking you to testify about today or, more to the 20 point, any documents that I've asked you to provide, 21 I would ask that Mr. Marsh provide a privilege log, 22 to the extent he feels the privilege log is 23 appropriate, and that any documents will be withheld 24 pursuant to the claimed privilege.</p> <p>25 Is that acceptable?</p>	<p>Page 78</p> <p>1 is referring to Exhibit 36, which is his Coinbase 2 account transaction history.</p> <p>3 THE WITNESS: So I would guess July 10th, 4 I think.</p> <p>5 BY MR. MULREANY:</p> <p>6 Q. Of 2018?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. Let's break that down before we 9 take a short break.</p> <p>10 For the record, Page 3 of 4 of Exhibit 11 36, which has a Bates number at the bottom of 12 SDKD-COINBASE-10003, there are three separate July 13 10, 2018 transactions noted.</p> <p>14 Could you identify which one is 15 associated with Mr. Saffron?</p> <p>16 A. On July 9, that 50 BTC that I received 17 was the Michael Alexander money --</p> <p>18 Q. Okay.</p> <p>19 A. -- and July 10th, there's two 20 transactions.</p> <p>21 Q. The first one for approximately 0.2 22 Bitcoin, the second one for approximately 49.8 23 Bitcoin, for a total of 50 Bitcoin were sent from 24 your Bitcoin wallet to a wallet ending in RHZp; is 25 that correct?</p>

<p>1 A. Correct.</p> <p>2 Q. And to your knowledge, that's a wallet</p> <p>3 owned or controlled by David Gilbert Saffron,</p> <p>4 correct?</p> <p>5 A. Correct.</p> <p>6 And then the next day, 7/10, you see that</p> <p>7 I received 10 Bitcoin.</p> <p>8 Q. Yes, sir.</p> <p>9 A. So Saffron transferred 10 Bitcoin to me</p> <p>10 saying that that was my commission for Michael</p> <p>11 Alexander's investment. So I said, Well, all right.</p> <p>12 I'll send that back to you. So I sent him back the</p> <p>13 10, plus, it looks like, 1 coin -- maybe 1.4 coin of</p> <p>14 my own.</p> <p>15 Q. Okay. And just so our record's clear,</p> <p>16 you received Bitcoin on -- referring to Exhibit 36,</p> <p>17 Page 3 of 4 ending in Bates Number 1003, in the</p> <p>18 middle of the page there's a notation on July 10,</p> <p>19 2018, which you received Bitcoin in the total amount</p> <p>20 of 10 Bitcoin; is that correct?</p> <p>21 A. Right.</p> <p>22 Q. And the very next day, on July 11, 2018,</p> <p>23 you sent approximately 11 Bitcoin to a wallet ending</p> <p>24 in TkAn; is that correct?</p> <p>25 A. Yes, based on these records.</p>	<p>Page 81</p> <p>1 Mr. Alexander's participation in Mr. Saffron's</p> <p>2 trading program?</p> <p>3 A. I don't know if he was aware that I</p> <p>4 received it, but he was aware that a referral fee</p> <p>5 would be paid because, as I indicated, I met Michael</p> <p>6 Alexander and David Saffron at a breakfast meeting</p> <p>7 either that day, July 10th, or the day before.</p> <p>8 And the purpose of that meeting was for</p> <p>9 me to have Michael, who Michael Alexander's a</p> <p>10 longtime client of mine, for 20-plus years, who's</p> <p>11 involved in this industry.</p> <p>12 He knows a lot about it. I invited him</p> <p>13 to have breakfast with Saffron so he could vet him</p> <p>14 for me, see whether or not he thought he was real</p> <p>15 based on the way he talked and explained about the</p> <p>16 coin and all of this.</p> <p>17 And Saffron explained his program and</p> <p>18 that he paid referral fees to -- and Michael was</p> <p>19 impressed enough to put 300 grand with him, so --</p> <p>20 Q. Okay.</p> <p>21 A. He was reasonably impressed. So that was</p> <p>22 discussed. I don't know if I told Michael I</p> <p>23 received 10 into my Bitcoin account, but he knew</p> <p>24 that there would have been a commission paid.</p> <p>25 Q. Okay. You were a client of Mr. Saffron's</p>
<p>1 Q. And it's your testimony that that Bitcoin</p> <p>2 wallet is owned or controlled by David Saffron?</p> <p>3 A. I believe so, yes.</p> <p>4 Q. So you invested the 10 Bitcoin you</p> <p>5 received from Mr. Saffron as a referral fee on July</p> <p>6 10, 2018, along with an additional 1 Bitcoin you</p> <p>7 already held, for a total of 11 Bitcoin that you</p> <p>8 sent to Mr. Saffron, correct?</p> <p>9 A. Yeah. And I actually was surprised to</p> <p>10 receive the 10 Bitcoin in my own wallet because I</p> <p>11 don't think that's how he typically did it --</p> <p>12 Q. Okay.</p> <p>13 A. -- but I think he was trying to induce me</p> <p>14 to go out and hustle clients for him.</p> <p>15 Q. Okay. Was Mr. Alexander aware that you</p> <p>16 received a referral fee from Mr. Bitcoin (sic) for</p> <p>17 Mr. Alexander's participation in Mr. Saffron's</p> <p>18 trading --</p> <p>19 MR. MARSH: Counsel, you need to rephrase</p> <p>20 that. You said "Mr. Bitcoin."</p> <p>21 MR. MULREANY: I'm sorry. Let me</p> <p>22 rephrase that. I apologize. Thank you, Counsel.</p> <p>23 BY MR. MULREANY:</p> <p>24 Q. Was Mr. Alexander aware that you had</p> <p>25 received a referral fee from Mr. Saffron for</p>	<p>Page 82</p> <p>1 on June 15, 2018, correct?</p> <p>2 A. June 15? I don't think so. I wouldn't</p> <p>3 characterize it that way.</p> <p>4 Q. We will get into it in detail based upon</p> <p>5 your June 15, 2018 correspondence that's been marked</p> <p>6 as Exhibit 4 that we have yet to go over.</p> <p>7 But am I correct generally in</p> <p>8 understanding that on June -- on or about June 15 or</p> <p>9 possibly before June 15, 2018, as part of a test you</p> <p>10 conducted of Mr. Saffron's trading program, you sent</p> <p>11 Mr. Saffron 0.2 Bitcoin and he purportedly executed</p> <p>12 trades on that 0.2 Bitcoin and, later that same day,</p> <p>13 deposited 0.4 Bitcoin into your Coinbase account,</p> <p>14 correct?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. You never returned the 0.2 Bitcoin</p> <p>17 you received in excess of your initial 0.2</p> <p>18 Bitcoin --</p> <p>19 A. No.</p> <p>20 Q. -- deposit to Mr. Saffron, correct?</p> <p>21 A. That's correct.</p> <p>22 Q. Okay. So am I correct in understanding,</p> <p>23 therefore, that you -- your customer, Mr. Saffron,</p> <p>24 on June 15 -- on or about June 15, 2018? (sic)</p> <p>25 A. I don't think that's a correct</p>

<p>1 BY MR. MULREANY:</p> <p>2 Q. Okay. Do you know why it's called 3 "Vensoft Irrevocable Trust"?</p> <p>4 A. I don't.</p> <p>5 Q. Okay. I wanted to circle back around to 6 some of your prior testimony prior to the lunch 7 break.</p> <p>8 You indicated that Mr. Johnson and 9 Mr. Baraglia, who are -- who have been clients of 10 yours, were also individuals who were clients of 11 Mr. Saffron; is that correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And do you know the total amount 14 of Bitcoin that they transferred to Mr. Saffron's 15 ownership and control as part of his solicitation 16 for binary option trading?</p> <p>17 A. No. It would have been before I 18 represented any of them.</p> <p>19 Q. Okay. Did they ever indicate to you that 20 Mr. Saffron paid them the promised returns -- that 21 being 300 percent return -- in three weeks?</p> <p>22 A. No.</p> <p>23 Q. Okay. Did they ever indicate to you that 24 he had failed to provide them with the promised 25 returns?</p>	<p>Page 113</p> <p>1 test this.</p> <p>2 Q. Well, what I'm trying to get is, 3 mechanically, what did you do? You're sitting there 4 with Mr. Saffron. You got a website open.</p> <p>5 Then what?</p> <p>6 A. Actually, I think I handed him my phone 7 with my Coinbase account open, and he did the 8 transfer.</p> <p>9 Q. Mr. Saffron did?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Is that a "yes"?</p> <p>12 A. Yes.</p> <p>13 Q. And did you hand Mr. Saffron your phone 14 and he effected the transfer?</p> <p>15 A. Correct.</p> <p>16 Q. Do you know mechanically what he was 17 doing or did he describe to you what he was doing?</p> <p>18 A. I assumed that he was transferring it to 19 a wallet that was under his control.</p> <p>20 Q. Are you aware that Mr. Saffron's Coinbase 21 account shows zero transaction history?</p> <p>22 A. Well, I don't have any knowledge about 23 any of that. I don't know what it would show. I 24 don't know if that's his only account.</p> <p>25 Q. When you transferred 0.2 Bitcoin to a</p>
<p>Page 114</p> <p>1 A. I think they indicated partial payment.</p> <p>2 Q. Okay. Were they supposed to -- "they" 3 being Mr. Johnson and Mr. Baraglia.</p> <p>4 Were they ever supposed to have received 5 referral fees from Mr. Saffron for referring other 6 clients to Mr. Saffron?</p> <p>7 A. I'm sure, in that initial meeting in my 8 office when I met Saffron for the first time, there 9 was a discussion about that.</p> <p>10 Q. That being that he owed them referral 11 fees?</p> <p>12 A. Not that he owed them, but that -- to the 13 extent that somebody brought an investor or another 14 person into the Omicron website, that they would get 15 a referral fee.</p> <p>16 Q. Okay. When you decided to invest in the 17 Omicron Trust, can you tell me how you did it?</p> <p>18 Did you visit the Web page?</p> <p>19 A. I think I was actually sitting in a hotel 20 room with Saffron, and I had some -- I had like 1 21 and a half Bitcoin of my own coin that I had paid US 22 dollars for back when I opened that Coinbase account 23 and I --</p> <p>24 Q. Okay.</p> <p>25 A. -- for me, it was just like, Hey, let's</p>	<p>Page 116</p> <p>1 wallet controlled by Mr. Saffron on June 15 of 2018, 2 did -- were you aware of how that wallet was held or 3 where it was held?</p> <p>4 A. I -- all I know is I assumed it was under 5 his control, David Saffron's control.</p> <p>6 Q. Okay. But you didn't know if it was a 7 wallet?</p> <p>8 A. I don't know if it was Coinbase, 9 whatever -- whatever wallet. There are a number of 10 them.</p> <p>11 Q. Okay. Can you describe the difference 12 between a hot wallet and a cold wallet?</p> <p>13 A. A hot wallet would be in an online 14 application, like Coinbase, where you could see it 15 and immediately effectuate a transfer.</p> <p>16 A cold wallet would be where you've got 17 Bitcoin and I guess that has a unique address or a 18 unique hash or something like that, and it has a key 19 for it.</p> <p>20 And you can transfer that to a USB, and 21 it's cold meaning it's not online, so that it can't 22 be hacked or -- I mean, you can transport it with a 23 USB stick.</p> <p>24 Q. Are you aware if Mr. Saffron holds any 25 cold wallets?</p>

<p>1 was?</p> <p>2 A. Well, I think there was a lawsuit filed, 3 which I think came down around the same time as that 4 telephone call to me, and I think he got my phone 5 number from -- because it came on my cell phone.</p> <p>6 I think he got it from Michael Alexander 7 because Caramanis and Alexander know each other and 8 are friends.</p> <p>9 Q. Are you aware of whether Mr. Alexander 10 referred any other clients to Mr. Saffron?</p> <p>11 A. I'm pretty sure he did not.</p> <p>12 Q. Okay. Did he -- do you know if 13 Mr. Alexander received the return he was promised 14 from Mr. Saffron?</p> <p>15 A. He did not; however, I do know he's still 16 investing with David, so I'm not sure what their 17 relationship is now.</p> <p>18 Q. Okay. And can you explain how it is that 19 Mr. Alexander is continuing to invest after not 20 receiving the promised returns?</p> <p>21 A. I think his sense is that he's keeping 22 the lines of communication open so that he can 23 potentially get -- recover that 15 coin.</p> <p>24 Q. Okay.</p> <p>25 MR. MALAS: Do you know how much Bitcoin</p>	<p>Page 121</p> <p>1 Q. Mr. Saffron?</p> <p>2 A. Correct.</p> <p>3 MR. MALAS: You mentioned Gemini. 4 And what was the other entity?</p> <p>5 THE WITNESS: KuCoin.</p> <p>6 MR. MALAS: Can you spell that?</p> <p>7 THE WITNESS: K-u-C-o-i-n. It's another 8 exchange, I think, or -- yeah, it must be an 9 exchange.</p> <p>10 MR. MALAS: Do you know if they're US 11 based or --</p> <p>12 THE WITNESS: They're in Singapore.</p> <p>13 MR. MALAS: Okay.</p> <p>14 BY MR. MULREANY:</p> <p>15 Q. Do you know where Mr. Swan is located?</p> <p>16 A. I think he's in Texas. I don't think he 17 works for him anymore. I think he quit.</p> <p>18 Q. Do you know why he quit?</p> <p>19 A. I think because he wasn't paying in the 20 fall because of the coin being frozen, and I think 21 Jimmy Swan was kind of the face of some of the 22 investment people, and so I could tell from what he 23 -- he talked to me one time about it, and I could 24 tell he was stressed.</p> <p>25 Q. Let's -- we're going to show you a video</p>
<p>Page 122</p> <p>1 Mr. Alexander has invested since his initial 2 investment of 50 Bitcoin?</p> <p>3 THE WITNESS: I don't. I don't think 4 it's a great deal. I would guess it's probably less 5 than 5 coin.</p> <p>6 MR. MALAS: Do you know when he would 7 have invested that approximately 5 Bitcoin?</p> <p>8 THE WITNESS: Probably in the last 90 9 days, because I believe that all of Saffron's 10 accounts were frozen from like September until 11 January, Gemini and KuCoin were all frozen.</p> <p>12 BY MR. MULREANY:</p> <p>13 Q. Do you know why they were frozen?</p> <p>14 A. As I understand it from what was put on 15 the website and from talking with that Jimmy Swan 16 guy, it was that the KuCoin and Gemini needed KYC on 17 every transaction that had ever been done in those 18 -- in David Saffron's accounts, and so they weren't 19 releasing coin until they got KYC.</p> <p>20 Q. Do you know if they ever received the KYC 21 data?</p> <p>22 A. I don't know. I never was retained to be 23 involved in that and never was involved in it. I 24 asked him if he wanted me to do work on those 25 matters to try and release the coin, and he said no.</p>	<p>Page 124</p> <p>1 at this point in time.</p> <p>2 A. Okay.</p> <p>3 Q. The court reporter's not going to 4 transcribe the video because it's too difficult, 5 so --</p> <p>6 MR. MULREANY: Why don't we go off the 7 record at 1:00.</p> <p>8 (Video playing.)</p> <p>9 (Discussion off the record.)</p> <p>10</p> <p>11 MR. MULREANY: Okay. Back on the record 12 at 1:01.</p> <p>13 And right now, Mr. Kerr, we're going to 14 show you a video that's approximately a minute long, 15 and we're going to go off the record while the 16 video's playing and then we will go back on when it 17 terminates.</p> <p>18 (Video playing.)</p> <p>19</p> <p>20 MR. MULREANY: Back on the record at 21 1:03, and, for the record, that video is identified 22 as Exhibit 28.</p> <p>23 BY MR. MULREANY:</p> <p>24 Q. Mr. Kerr, have you ever seen that video 25 before?</p>

<p style="text-align: right;">Page 145</p> <p>1 Q. And what was the total amount of their –      2 A. No idea.      3 Q. Okay. Do you know the business purpose      4 of Meta-Tech Consultants, LLC, when it was formed?      5 A. I'm not 100 percent sure what the      6 business purpose was.      7 Q. What was its main business?      8 A. I think they were going to do      9 cryptocurrency-related business; whether it was      10 consulting or whatever, I'm not sure of the exact      11 nature.      12 Q. Did – to your knowledge, was -- has      13 Justin Baraglia ever registered with the CFTC in any      14 capacity?      15 A. No.      16 Q. To your knowledge, has Meta-Tech      17 Consultants, LLC, ever registered with the      18 Commission in any capacity?      19 A. No.      20 Q. Okay. Who – of the two individuals you      21 mentioned, Mr. Baraglia and Mr. Johnson, who was the      22 managing member, or were they co-managing members?      23 A. I think they were co-managing members.      24 Q. All right. You are the resident agent      25 for Meta-Tech Consultants, LLC?</p>	<p style="text-align: right;">Page 147</p> <p>1 A. (Examining documents.)      2 MR. MULREANY: For the record, the      3 witness is reviewing Exhibit 36.      4 THE WITNESS: You know, I'm not 100      5 percent sure, but it would have been one of these      6 early May transactions. There's a couple. I'm just      7 doing it trying to base it on what I did.      8 This one here, I'm fairly sure is theirs.      9 This is May 9th, 2018, for 1200 US dollars, 0.128      10 Bitcoin, because they had hired me to do the      11 company, and that's typically what I charge, is 1200      12 bucks.      13 BY MR. MULREANY:      14 Q. Okay. When you drafted this opinion      15 letter dated June 15, 2018, marked as Exhibit 31,      16 why did you draft that?      17 A. Justin and Brian wanted a third party to      18 go in and see and talk to Saffron about the trading      19 platform and to give them comfort in what he was      20 doing.      21 Q. But you weren't expressing any legal      22 opinions in this June 15, 2018 letter, correct?      23 A. Well, let me read it.      24 Yeah. I don't think they're strictly      25 legal opinions. I think they're fact opinions.</p>
<p style="text-align: right;">Page 146</p> <p>1 A. Currently. And also, currently, I have a      2 member interest in that company myself.      3 Q. Okay. Did you pay anything for that      4 membership?      5 A. Maybe consideration for services      6 rendered.      7 Q. So it was a substitution for a legal fee?      8 A. I think so. And for potential future      9 services, probably more than anything.      10 Q. Okay. Meta-Tech Consultants uses your      11 Henderson, Nevada, business address as its address,      12 correct?      13 A. It does, yeah.      14 Q. Okay. Do you ever receive any mail for      15 Meta-Tech Consultants at your law office?      16 A. No. And as far as I understand, it's not      17 actively doing business.      18 Q. When Meta-Tech Consultants paid you for      19 legal services, how did they pay?      20 A. I think they paid by Bitcoin.      21 Q. And was that a deposit made into your –      22 A. Into that Coinbase account.      23 Q. Coinbase account? Okay.      24 Could you identify that transaction      25 referring to Exhibit 36?</p>	<p style="text-align: right;">Page 148</p> <p>1 Q. Okay. Prior to drafting the June 15,      2 2018 opinion letter, can you tell me what your      3 assigned tasks were?      4 A. I'm not sure I understand your question.      5 Q. Did Mr. Baraglia and/or Mr. Johnson sit      6 you down and say, We want you to look at this, this,      7 and this, or was it more kind of a general, Talk to      8 Saffron and see what he's all about?      9 A. Yeah, it was general. I don't think      10 they -- I think they were relying on what he had      11 said to them. I don't think he had shown them      12 anything except maybe some historical trades and      13 maybe the website at that point.      14 Q. Did you bill them for this letter,      15 Mr. Baraglia and Mr. Johnson?      16 A. I'm assuming I would have because I      17 probably spent a couple hours actually physically at      18 Saffron's hotel room looking at the computer.      19 Q. And that was here in Las Vegas, Nevada?      20 A. Yeah.      21 Q. Did you bill Mr. Saffron for the creation      22 of this letter?      23 A. Probably.      24 Q. Is there any way you could check to      25 determine if you, in fact, did bill any of those</p>

<p style="text-align: right;">Page 149</p> <p>1 three individuals or part or all of them?</p> <p>2 A. Yeah. I mean, I can go back and look at 3 the billing and time records. I keep 4 contemporaneous time records.</p> <p>5 Q. If you could do that and provide those to 6 your counsel, just so we can have an understanding 7 of if, when, and who was billed for this work.</p> <p>8 A. Okay.</p> <p>9 Q. Who was in charge of the day-to-day 10 operations of Meta-Tech Consultants in June of 2018?</p> <p>11 A. It would have been Justin and/or Brian, 12 but I don't know that they had any day-to-day 13 operations at that point. It was -- we were still 14 in the process of trying to create the fund, and 15 that took months to do.</p> <p>16 Q. Have they ever had any employees?</p> <p>17 A. No.</p> <p>18 Q. Did they take this -- show any income 19 that may -- or losses that may have been generated 20 by Meta-Tech through their personal federal income 21 tax returns?</p> <p>22 A. I don't know that they have returns due 23 for 2018, so I have no way of knowing that, anyway.</p> <p>24 Q. To your knowledge, has Meta-Tech 25 Consultants, LLC, filed a federal tax return for</p>	<p style="text-align: right;">Page 151</p> <p>1 MR. MALAS: Mr. Kerr, just a couple 2 follow-up questions on Exhibit 31, which is the June 3 15th, 2008 letter addressed to Meta-Tech.</p> <p>4 THE WITNESS: Right.</p> <p>5 MR. MALAS: The first paragraph, the last 6 sentence reads, In such capacity, we have reviewed 7 certain documents, reports, and computer programs 8 and made general investigations with respect to the 9 following, and then lists five separate items.</p> <p>10 Then the paragraph underneath that reads, 11 The information reviewed above was conducted in the 12 presence of consultant at consultant's hotel 13 accommodation, and goes on from there.</p> <p>14 First, the consultant here is David 15 Saffron; is that correct?</p> <p>16 THE WITNESS: Correct.</p> <p>17 MR. MALAS: Okay. And it mentions, in 18 these five items, that item one, there was a review 19 of trading history and client spreadsheets for 20 several separate clients consultant.</p> <p>21 Item two, review of demo trading history 22 report dated June 15, 2018, in four-hour time block 23 commencing on or about 2 a.m. to 6 a.m.</p> <p>24 Item three, review trading program 25 BTC/flat -- that's f-i-a-t -- currency trading</p>
<p style="text-align: right;">Page 150</p> <p>1 calendar year 2018?</p> <p>2 A. I'm sure it has not because it had no 3 income in 2018.</p> <p>4 Q. Okay. Is there a hierarchy to Meta-Tech 5 Consultants?</p> <p>6 Was Mr. Baraglia in charge more than 7 Mr. Johnson or vice versa, or how did that work?</p> <p>8 A. I don't know that there's a hierarchy. I 9 think it was two young guys that wanted to get 10 involved in the crypto space and were going to use 11 that vehicle to do so.</p> <p>12 Q. What do these two fellows do for a 13 living?</p> <p>14 How do they make their money?</p> <p>15 A. I think previously -- I think they both 16 work, but I think previously, Justin -- I thought he 17 was in the military, and Brian Johnson had worked 18 for Morgan Stanley in their commercial loans 19 division, I think.</p> <p>20 Q. Okay. Did you ever represent them 21 individually separate and apart from Meta-Tech?</p> <p>22 Did you do a -- buy a house for them? 23 Help them buy a house?</p> <p>24 A. No. Nothing like that.</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">Page 152</p> <p>1 pairs. Item four, engaged in 26-minute test trade 2 of 0.2 BTC, and item five, review Omicron Trust Web 3 platform test transaction, discussion with 4 consultant.</p> <p>5 First question is, do you recall which 6 hotel this was conducted at here in Las Vegas?</p> <p>7 THE WITNESS: I'm pretty sure it was the 8 MGM.</p> <p>9 MR. MALAS: Okay. And just to walk 10 through the mechanics, so I understand, so you're 11 sitting in the hotel room with Mr. Saffron, and he 12 has a laptop of his own; is that correct?</p> <p>13 THE WITNESS: Right. Sitting on the 14 sofa, David sitting next to me, coffee table with a 15 laptop on it.</p> <p>16 MR. MALAS: Okay. And it mentions a 17 couple spreadsheets, reports.</p> <p>18 Are these items that Mr. Saffron pulled 19 up on the laptop while you're sitting there with 20 him?</p> <p>21 THE WITNESS: Correct.</p> <p>22 MR. MALAS: Did he provide you any copies 23 of these spreadsheets or reports?</p> <p>24 THE WITNESS: No.</p> <p>25 MR. MALAS: Okay.</p>

<p>1 BY MR. MULREANY:</p> <p>2 Q. Do you have a way to currently access 3 those spreadsheets or reports?</p> <p>4 A. No.</p> <p>5 MR. MALAS: Do you know if these 6 spreadsheets or reports that Mr. Saffron showed you 7 were within a particular website; for example, the 8 Omicron website?</p> <p>9 THE WITNESS: No. I mean, the 10 spreadsheets, as I recall, were on a desktop folder 11 that had multiple file folders, and he flipped open 12 a random number of them that had -- I think it had 13 client names, amounts, trade dates, I think, and 14 then return on investments. Like ROI was a cell or 15 whatever in the spreadsheet.</p> <p>16 MR. MALAS: Okay. And the demo trading 17 history report, was that also a file he accessed on 18 like a desktop folder?</p> <p>19 THE WITNESS: No. That was different. 20 That was actually -- I think he was within a trading 21 program of some kind, and it was odd that -- I mean, 22 it's not something I know much about.</p> <p>23 But the way it showed up on the screen is 24 that their trades were all in kind of a column on 25 one side of the screen. It showed the trading desk,</p>	<p>Page 153</p> <p>1 THE WITNESS: I mean, it looks familiar 2 to me, but, honestly, in my mind, I'm thinking that 3 what they had was the actual graphic, you know, the 4 chart that would show the up and down of the market 5 during a period of time.</p> <p>6 Then on the right-hand side of the 7 screen, it showed the trades and the amounts. That 8 was a scroll-through for a period of time.</p> <p>9 So it -- I may have seen this during that 10 due diligence, but what I'm thinking of when I refer 11 to that demo trading period is something different.</p> <p>12 MR. MULREANY: Let's show video one.</p> <p>13 BY MR. MULREANY:</p> <p>14 Q. We're going to show you, Mr. Kerr, a 15 video marked as Exhibit 27, which is a video, and 16 it's about 10 minutes in length.</p> <p>17 MR. MULREANY: We're going to tee it up, 18 and then we will go back on the record after the 19 video's over.</p> <p>20 Off the record at 1:45.</p> <p>21 (Playing video.)</p> <p>22</p> <p>23 MR. MULREANY: Let's go back on the 24 record at 1:52.</p> <p>25 ////</p>
<p>1 you know, where it showed the actual chart or 2 whatever, you know, and then it showed like a 3 history of trades over a time period that you could 4 scroll through.</p> <p>5 MR. MALAS: Okay. Bear with us one 6 second here.</p> <p>7 MR. MULREANY: Should be under 27.</p> <p>8 MR. MALAS: Mr. Kerr, if you can turn to 9 what's marked as Exhibit 27 in the binder, there are 10 several screenshots taken of a video that I believe 11 we may show you at some point here today.</p> <p>12 The first screenshot of the upper 13 left-hand corner of the screen reads, BinBot PRO. 14 And that's B-i-n-B-o-t P-R-O. Underneath that, it 15 has David Saffron's name.</p> <p>16 And then to the right of that at the top 17 of the screen, it says Warren Bot, and then, in 18 parens, by David Saffron, end parens.</p> <p>19 It indicates a current balance, and then 20 it looks like what it appears to be various foreign 21 currency pairs as well as maybe some other 22 crypto/foreign currency pairs.</p> <p>23 Does this screenshot of this BinBot PRO 24 refresh your memory on maybe what the screen looked 25 like in terms of this trading report he showed you?</p>	<p>Page 154</p> <p>1 BY MR. MULREANY:</p> <p>2 Q. All right. So, Mr. Kerr, we have shown 3 you a video -- a second video.</p> <p>4 Do you recognize the individual doing 5 most of the talking in that video?</p> <p>6 A. Yeah. That's David Saffron.</p> <p>7 Q. All right. Is that similar to what 8 Mr. Saffron showed you in -- on June 15 of 2018?</p> <p>9 A. It doesn't look the same to me, to be 10 honest with you.</p> <p>11 Q. You indicated in your opinion letter at 12 Exhibit 31 that -- the second item on Page 1 is that 13 you reviewed a demo trading history report?</p> <p>14 A. Correct.</p> <p>15 Q. Can you explain what you mean by "a demo 16 trading history report"?</p> <p>17 A. Well, what -- apparently, what it was, 18 according to Mr. Saffron -- he showed me a laptop 19 screen that, as I indicated before, showed a chart, 20 a graphical chart of the market.</p> <p>21 And then on the right-hand side, it 22 showed trades over a period of four hours from this 23 block. He said he had been up in the evening -- or 24 early in the morning the day before -- or, actually, 25 I guess the day of our meeting -- and was showing</p>

<p style="text-align: right;">Page 201</p> <p>1 THE WITNESS: Okay.      2 MR. MALAS: If we could go off the record      3 at 2:57 p.m. for a minute, please.      4 (Recess 2:57 to 3:00 p.m.)      5      6      7 MR. MULREANY: Back on the record at      8 3:00.      9      10 EXAMINATION (Continuing)      11 BY MR. MULREANY:      12 Q. Good afternoon, Mr. Kerr. If I could      13 draw your attention to Exhibit 32, please. There's      14 a two-page document that you were kind enough to      15 provide us in response to our subpoena.      16 Is that a true and correct copy of the      17 Bitcoin transaction from your Coinbase account that      18 you referenced in your earlier testimony concerning      19 the June 15, 2018 Bitcoin test?      20 A. Correct. That's the screenshot of the      21 historical trade on June 15th, 2018, that occurred      22 in MGM by Mr. Saffron on my account --      23 Q. Okay.      24 A. -- and it's the actual screenshot of the      25 telephone app for Coinbase.</p>	<p style="text-align: right;">Page 203</p> <p>1 bottom of the second page --      2 A. Yeah. I just saw that.      3 Q. -- it indicates, Trader's legal firm is,      4 and then it has www.sterlingkerlaw.com.      5 A. That's my law firm's website, but I did      6 not give Mr. Saffron authority to use it.      7 Q. Okay. Are you familiar with a gentleman      8 by the name of Gavin, G-a-v-i-n, Dickson,      9 D-i-c-k-s-o-n?      10 A. I don't know him.      11 Q. How about Gene, G-e-n-e, Houston like      12 Houston, Texas?      13 A. So I've never met nor talked to either of      14 those people, but their names are plaintiffs in a      15 lawsuit that my law firm is handling the defense of      16 for David Saffron and -- actually, not Saffron.      17 Just Circle Society.      18 Q. There's a -- if you look in the middle of      19 the first page of Exhibit 10, there's an indication      20 of trader's wallet deposited to, and there's a 24      21 alphanumeric wallet address provided ending in, for      22 the record, F9QD.      23 Do you see that, sir?      24 A. I do.      25 Q. Are you familiar with that wallet</p>
<p style="text-align: right;">Page 202</p> <p>1 Q. If I could draw your attention, Mr. Kerr,      2 to Exhibit 34, could you identify that e-mail,      3 please?      4 A. This is an e-mail that I was      5 carbon-copied on from Damien Scott to Conor Neu at      6 Pier Asset Management regarding the things we talked      7 about earlier where Pier was determining whether or      8 not to buy some Bitcoin from David Saffron.      9 And Saffron was trying to sell Bitcoin so      10 that he could fund the purchase of that residence      11 that he was interested in in Beverly Hills.      12 Q. And that transaction never took place?      13 A. There was a contract entered into.      14 Escrow was opened, but the earnest money was never      15 funded, and so it was closed.      16 Q. Mr. Kerr, if I could draw your attention      17 to Exhibit 10 in the binder in front of you; please.      18 A. Yes.      19 Q. This is a three-page -- a two-page      20 document with a photograph of an Australian passport      21 on the third page. It's entitled "Custom Bot" --      22 B-o-t -- "Trade Agreement."      23 Have you ever seen this before?      24 A. No.      25 Q. If I could draw your attention to the</p>	<p style="text-align: right;">Page 204</p> <p>1 address?      2 A. I am not.      3 Q. Okay. At the bottom of the page, there's      4 another wallet address. Once again, it's a 24-digit      5 alphanumeric code, the last four digits of which      6 are, rRJ8.      7 Do you see that, sir?      8 A. I do.      9 Q. Are you familiar with that particular      10 wallet address?      11 A. I am not.      12 Q. To your knowledge, has Mr. Saffron ever      13 advised you that he received 1,000 Bitcoins from      14 Gavin Dickson?      15 A. He has not advised me of that.      16 Is this dated?      17 Q. I don't show a date.      18 A. It would have to be before June 20th,      19 2018, it looks like.      20 Q. Which is when the first payment is due.      21 A. Oh, on or before June 6th, 2018, yeah.      22 Again, I hadn't even met Saffron until June like --      23 I think it was the second week in June, almost      24 contemporaneous to that June 15th meeting.      25 Q. Okay. Okay.</p>

## Exhibit 16 - Materials Produced by Participant 1

Hello my name is Dee Washington, I'm writing back in reference of David Staffron and David Kagel

pertaining all documentation that I have with the relations of my investments.

I'm writing to inform you all that Rodney Burton has all documentation for this case, also Nathan Van Tuyl may still have information on David Staffron and David Kagel as well.

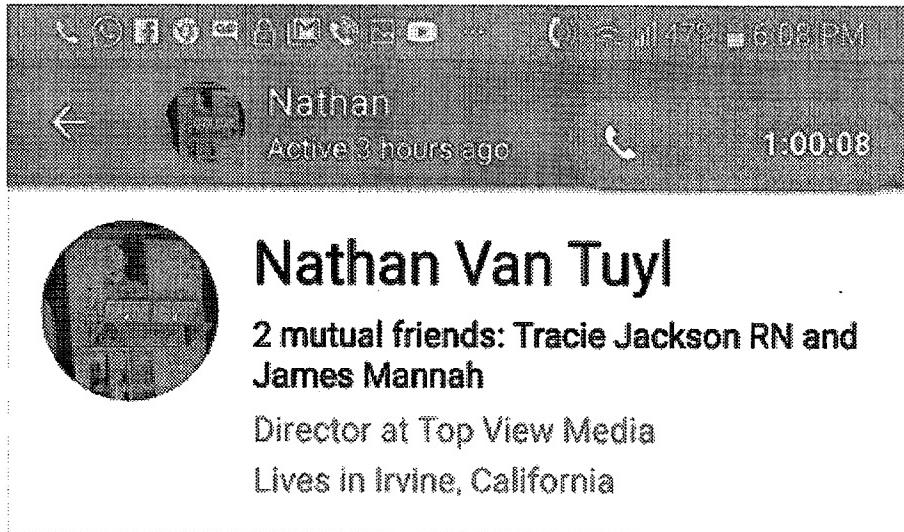
The only thing that I can provide is the transaction ID when I sent to bitcoins Rodney burton to give to David Staffron, and the transaction id for the bitcoinI sent to Nathan Van Tuyl to start the case against david staffron and David Kagel

At the time when I sent the 5 bitcoin jan 6 2017 it had a value of 84 thousand dollarshowever it decrease in value since

then, I provide the conversation messages that I had with Nathan Van Tuyl and Rodney Burton

I hope this helps Thank you.

Dee Washington



Hey I gave 5 BTC in this program  
to Rodney to give to David  
Stafford so what do I need to do  
from here on out

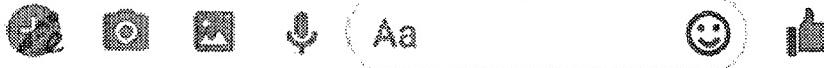
You added Nathan Van Tuyl on Messenger.

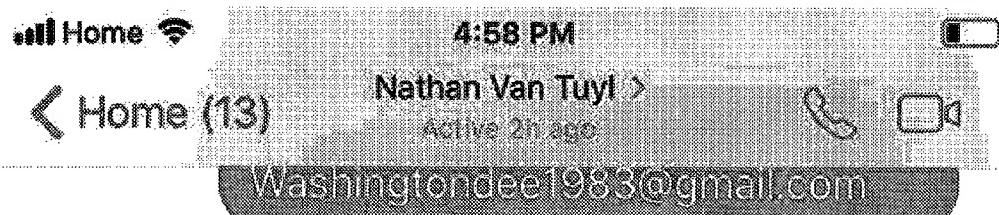
[Remove](#)

That was over 85 thousand at that  
time

You can now call each other and see information  
like Active Status and when you've read  
messages.

Hey Dee. Everyones in the same  
boat. The plan is to go after the  
1000 BTC escrow wallet David  
Saffrons attorney supposedly has.  
If they dont have it then both





He has bullshit excuses every single day



Keeps pushing it back

Wow I will be looking for the email so hopefully we will get our BTC back in order

Well we are going after what was promised, not what we gave him...

So there is a chance this could be a good outcome



Aa



SEARCHED INDEXED SERIALIZED FILED 9/30/19 10:59 AM

 **Nathan Van Tuyl** 



**Nathan Van Tuyl**

[Message](#)    [Audio](#)    [Video](#)

**Things in Common**

2 mutual friends: Tracie Jackson RN and James Mannah

**About Nathan**

Director at Top View Media

Followed by 390 people



You can now call each other and see information like Active Status and when you've read messages.

Hey Dee. Everyones in the same boat. The plan is to go after the 1000 BTC escrow wallet David Saffrons attorney supposedly has. If they dont have it then both Saffron and his attorney are liable

This has been a nightmare for me as I've been following his ass around to different cities making sure he isnt bailing

And it doesnt appear he is trying to

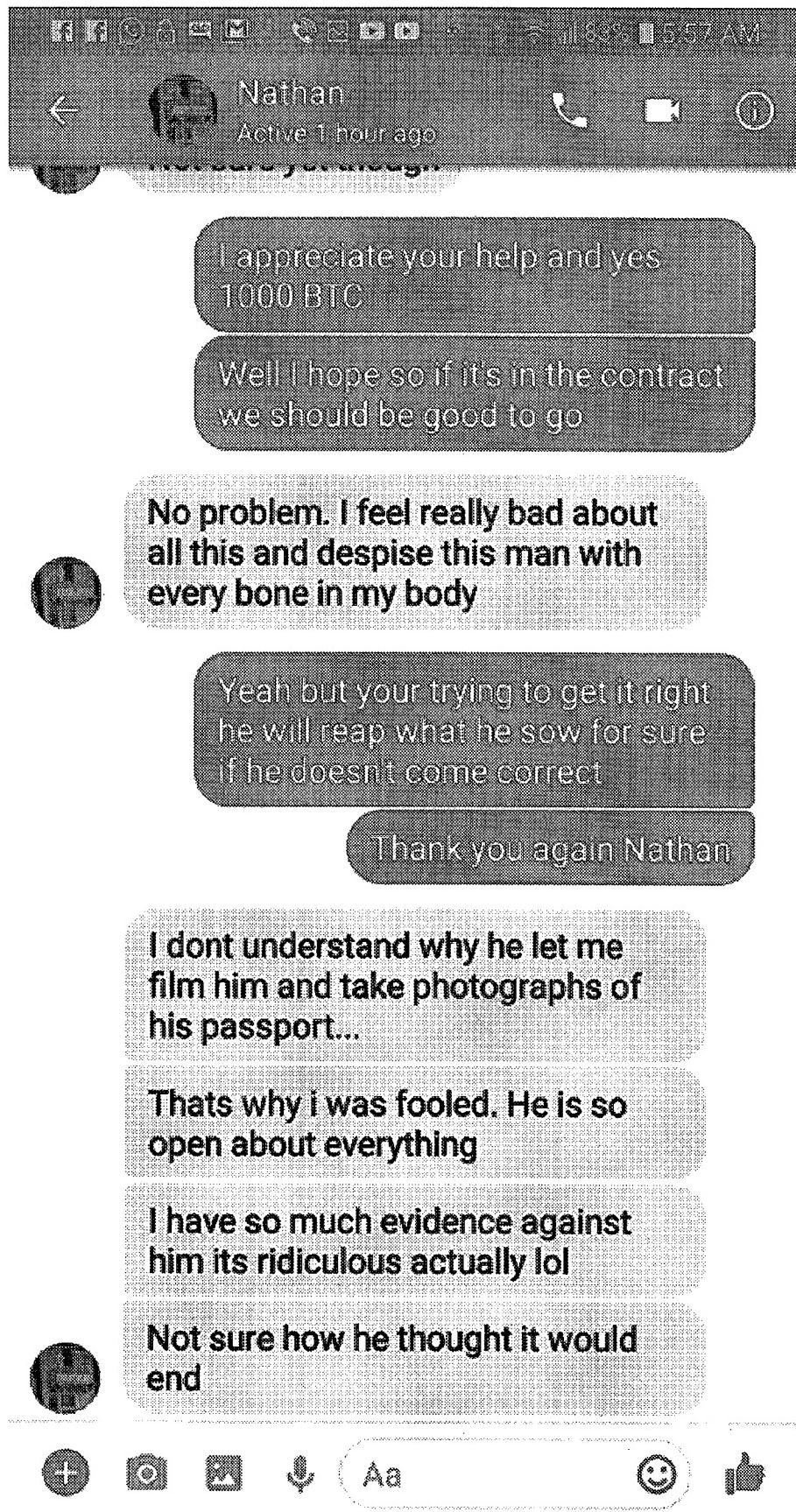
Ok so what I need to do to participate in us going forward to getting our funds

Did I send you an email?

I need your legal name, phone, email address

Wow this is crazy it Dee Washington 5402822168





Home

5:09 PM



Home (13)

Nathan Van Tuyl >

Active 2h ago



Me either it seem very strange but  
it's a plus on our end because he  
want get away from it

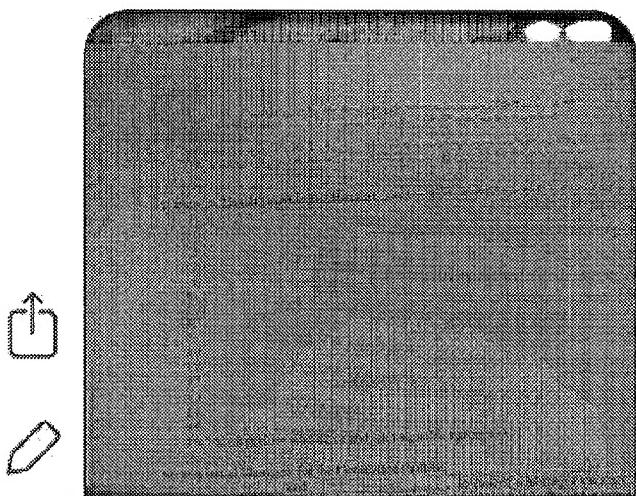
Ok so I got the email so I just send in  
my legal name and my address and  
phone number

You already gave that to me. Just  
need you to look over the lawyer  
agreement and sign

Ok I sign in and email it back to you



JAN 27, 8:25 PM



Home

5:10 PM



< Home (13)

Nathan Van Tuyl >

Active 2h ago



Question do I signed this document  
I don't need any one else to sign these

We need 3 committee members

Would you like to be one?

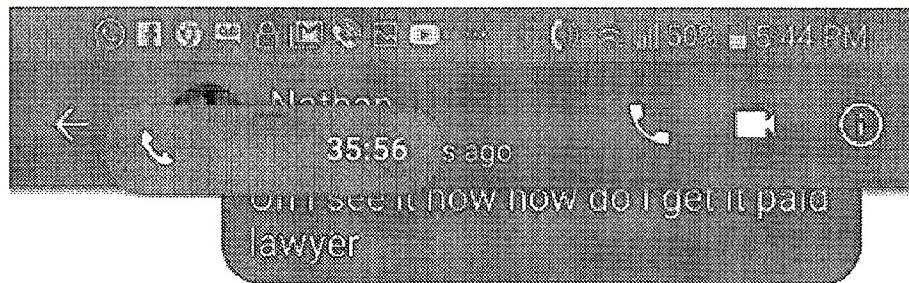
I can be if needed but we need 2  
more



I think Rodney and Frank would be  
the best for this one

But sure if Rodney and Frank don't  
do it I will





Hey were still figuring that out

I believe I made a mistake

JAN 31, 2018 AT 1:44 AM

Ok well let me know

JAN 31, 2018 AT 5:30 PM

hey

please check out the group chat. I  
explain everything there

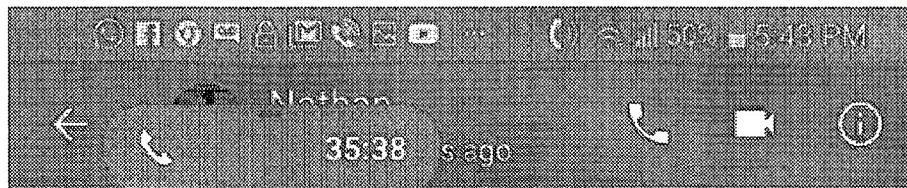
JAN 31, 2018 AT 5:47 PM

Oh  
OK

FEB 2, 2018 AT 11:48 AM

Hey did you send me \$625 yet?  
Double checking with everyone





I think we should sue for the maximum cause he played us

JAN 30, 2018 AT 11:55 PM



JAN 31, 2018 AT 12:06 AM

How much is the fee

For the lawyer

JAN 31, 2018 AT 12:20 AM

Oh I see it now how do I get it paid  
lawyer

Hey were still figuring that out



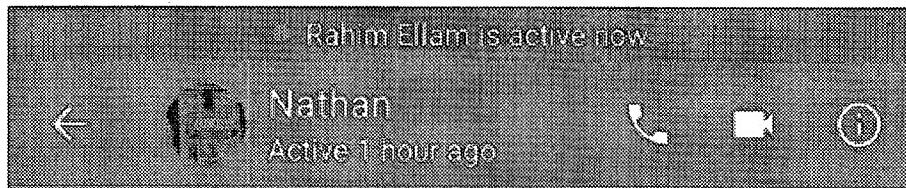
I believe I made a mistake

JAN 31, 2018 AT 1:44 AM

Ok well let me know

JAN 31, 2018 AT 5:30 PM





FEB 2, 2018 AT 11:48 AM

No can you give me your wallet  
address again sorry for the delay I  
have been so busy

RbzC

No worries

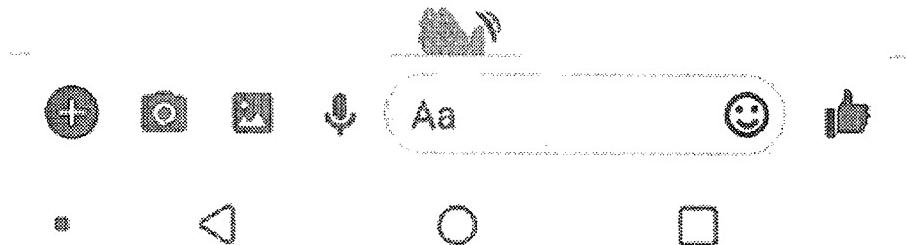
Read my email when you can. Its  
the attorneys draft letter

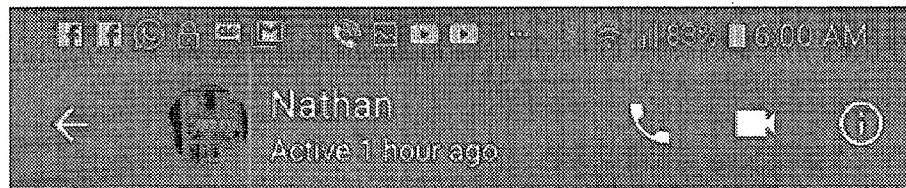
i just sendt the payment and i  
have read the attorney draft it  
looks good

sent sorry typo errors



FEB 15, 2018 AT 2:39 PM





MAR 12, 2018 AT 7:29 PM

Ok thanks

MAR 13, 2018 AT 6:18 PM

hey be sure to sign the document  
today please!

Ok I will get it done asap

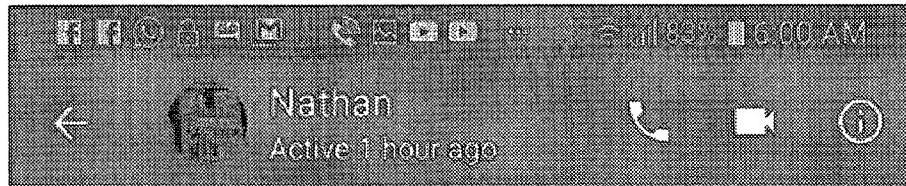
thanks. this complaint about Kagel  
will go a long way

You mean a long time process

i mean we are sending complaints  
about Kagel so we can pursue him  
legally for the criminal acts hes  
done... This will definitely be a long  
process if we as a group have  
delays on our end

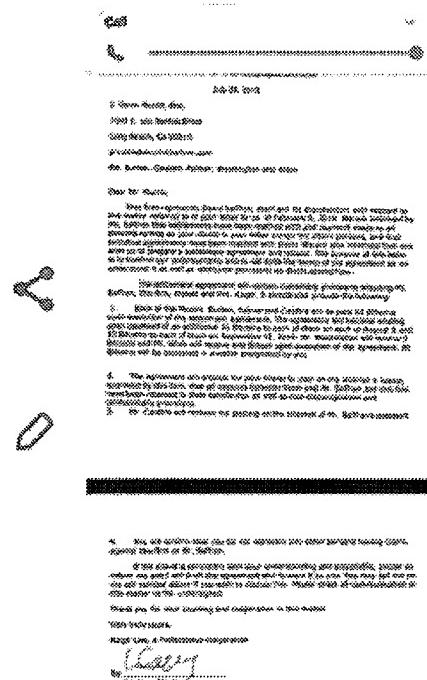
Ok I will be getting my sign  
documents to you as soon as I get  
home





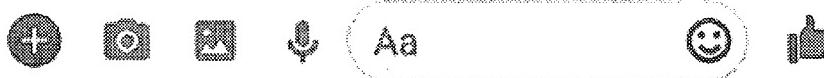
Nathan did you get your bitcoins back from David yet

Absolutely not. What have you heard? Are they still playing games?



This is the letter I got in my email from the lawyer you might want to get in contact with them I would like to get my bitcoins back too

I've heard way too many Saffron lies to believe anything they say...



Home

4:58 PM



< Home (13)

Nathan Van Tuyl >  
Active 2h ago



Keeps pushing it back

Wow I will be looking for the email so hopefully we will get our BTC back in order

Well we are going after what was promised, not what we gave him...

So there is a chance this could be a good outcome



Not sure yet though

I appreciate your help and yes 1000 BTC

Well I hope so if it's in the contract we should be good to go



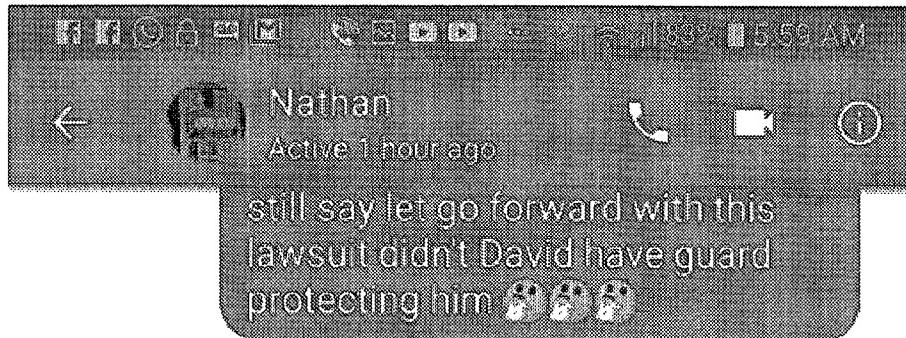
No problem. I feel really bad about all this and despise this man with every bone in my body

Yeah but your trying to get it right he will reap what he sow for sure if he doesn't come correct



Aa





FEB 15, 2018 AT 2:56 PM

**Yup. The contract specifically states that we are protecting in case anything happens to him. He told us it protects him even if he died**

**He told us it protects US\*\*\***

FEB 15, 2018 AT 3:46 PM

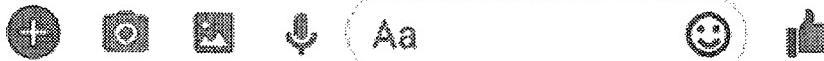
Agreed

MAR 12, 2018 AT 6:33 PM

**Hey Murrin lawfirm needs your signature for the letter they are sending to the State Bar regarding David Kagel. Please check your email. Thanks**

MAR 12, 2018 AT 7:29 PM

Ok thanks



Call Nathan W. Wilds

July 24, 2018

1. Owen Murrin, Esq.  
7045 E. Los Santes Drive  
Long Beach, CA 90815  
[jmurrin@murrinbwfirm.com](mailto:jmurrin@murrinbwfirm.com)  
Re: Burton, Calabro, Palmer, Washington and Wilds

Dear Mr. Murrin;

This firm represents David Saffron, itself and its shareholders with respect to the matter referred to in your letter to us of February 5, 2018. We are informed by Mr. Saffron that settlements have been reached with and payment made to all persons named as your clients in your letter except the above persons, and that tentative agreements have been reached with them. We are also informed that you wish us to prepare a settlement agreement and release. The purpose of this letter is to confirm our understanding and to set forth the terms of the agreement as we understand it as well as additional provisions we deem appropriate.

The settlement agreement will contain customary provisions releasing Mr. Saffron, this firm, myself and Mrs. Kigel. It should also provide the following:

1. Each of the Messrs. Burton, Palmer and Calabro will be paid 15 Bitcoins upon execution of the settlement agreement. The agreement will become binding upon payment of an additional 35 Bitcoins to each of them on each of August 5 and 25 Bitcoins to each of them on September 15, 2018. Mr. Washington will receive 5 Bitcoins and Mr. Wilds will receive one Bitcoin upon execution of the agreement. All Bitcoins will be deposited in a wallet designated by you.
2. The agreement will provide for your clients to post on the Internet a notice, approved by this firm, that all disputes between them and Mr. Saffron and this firm have been resolved to their satisfaction as well as non-disparagement and confidentiality provisions.
3. Mr. Calabro will remove the posting on the Internet of Mr. Saffron's passport.

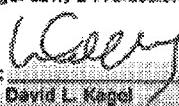
4. You will confirm that you do not represent any other persons having claims against this firm or Mr. Saffron.

If the above is consistent with your understanding and acceptable, please so inform me and I will draft the agreement and forward it to you. You may call me on my cell number above if you wish to discuss this. Please direct all communication in this matter to the undersigned.

Thank you for your courtesy and cooperation in this matter.

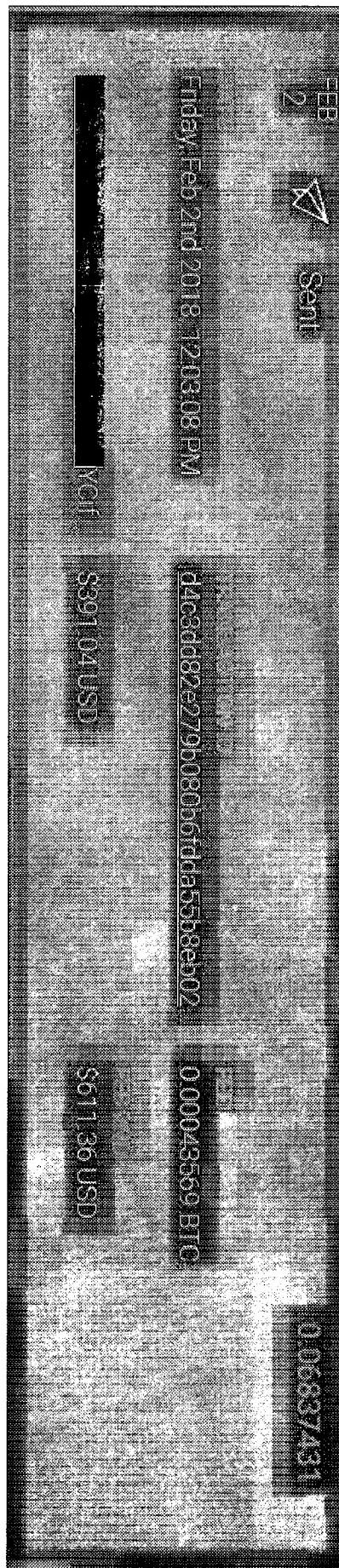
Very truly yours,

Kigel Law, a Professional Corporation

By:   
David L. Kigel

More

Remove



**Blockchain**    [WALLET](#)    [DATA](#)    [API](#)    [ABOUT](#)

[View Transaction Details](#)    [Get API Key](#)

## Transaction View information about a bitcoin transaction

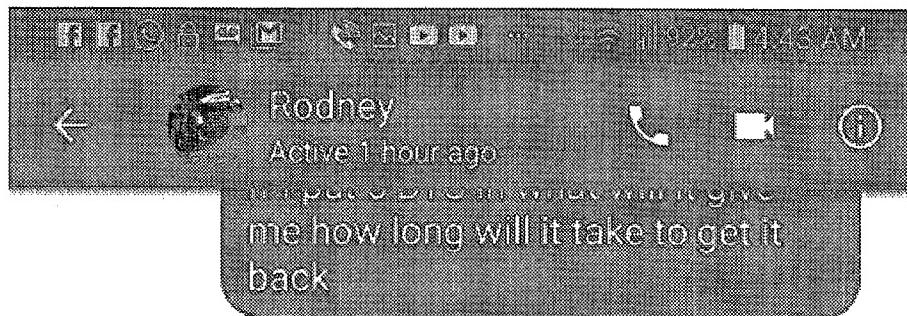
64c3d82e279c6303a645a38a32ac3127ba74e34513235847236c1f0  
 [copy]

	RBC	SCYX
Total Input	\$ 31,582.40	\$ 391.07
Total Output	\$ 31,582.40	\$ 31,188.53
Fees	\$ 2.40	
Fee per byte	193.84 satoshis	
Fee per weight unit	48.41 satoshi	
Estimated BTC Transacted	\$ 391.07	

[Scripts](#)    [Sign Scripts & Conditions](#)

[View Tree Chart](#)

[Visualize](#)



JAN 6, 2018 AT 3:57 AM

I'm here

Ok cool I am getting ready to send it to you now



Sent



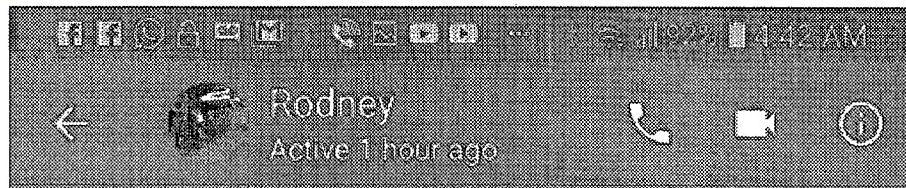
I will be making a group in the moring

Ok great I appreciate you Rodney

I will keep u posted

Aa





of next week



whatever you can

How much



5 to 25 btc

Ok send me wallet info

I put in 100btc



send me full name as well and phone number



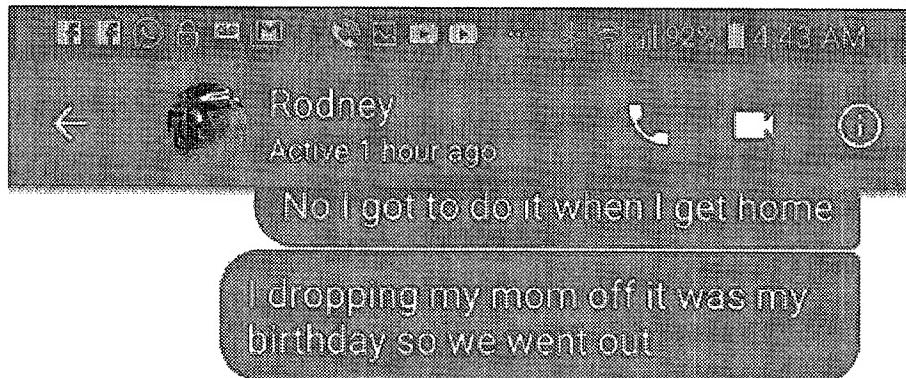
I need to know the amount that you send by the way so I can let them know so it can be tracked

5 BTC my full name is Dee Washington I will send it soon as I get home



did you seen it yet





Heyyyyy hbd to ya

JAN 6, 2018 AT 2:26 AM



dee they need this soon so keep me posted

1

JAN 6, 2018 AT 3:40 AM

Thank Rodney I am home can we still do it

Heyy

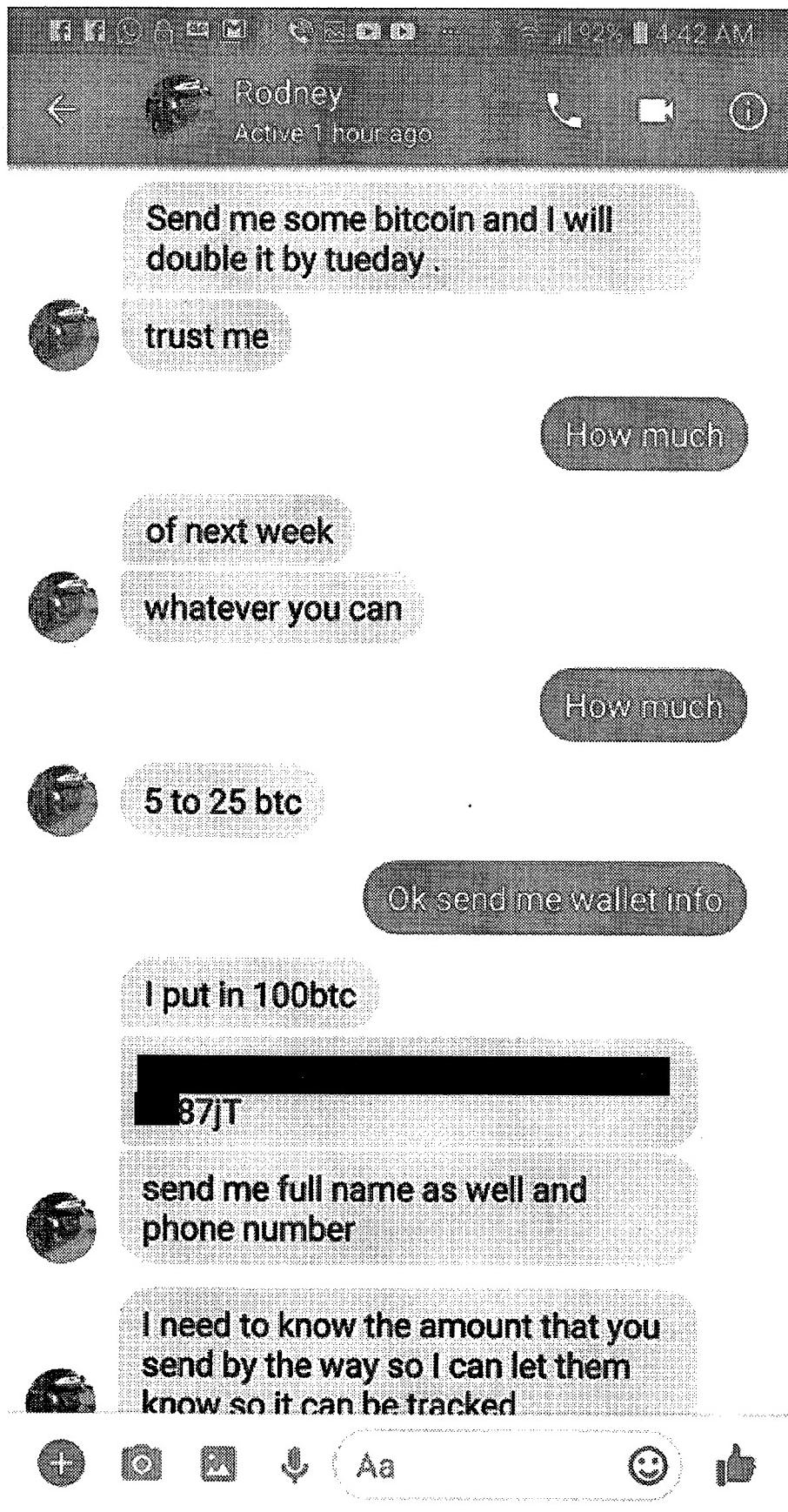
You put in a 100 BTC did you get it back

When ever you give me the go I will send it

Full name Dee Washington 540 282 2168

1



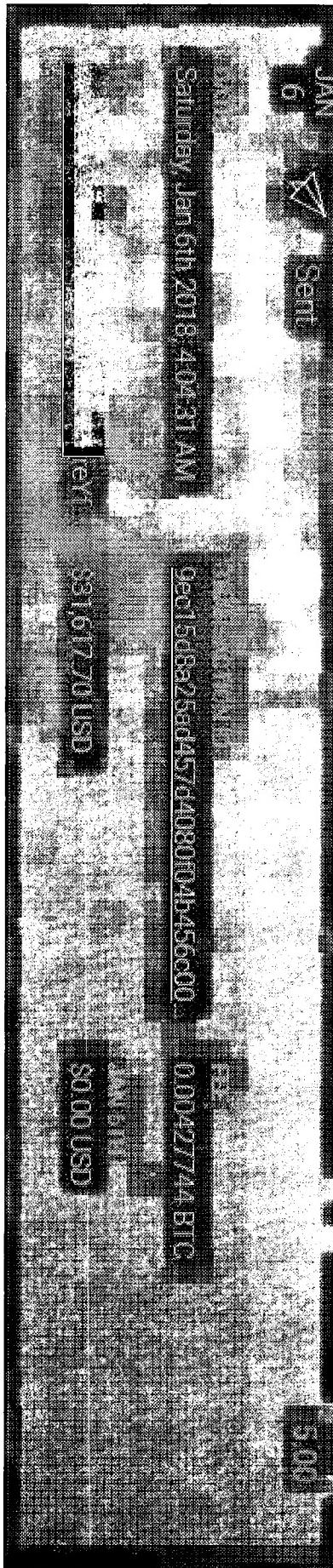


\*

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□



**Transaction View** information about a bitcoin transaction

[View Raw Transaction](#) | [Get Txn Data](#)

BLOCKCHAIN	WALLET	DATA	API	ABOUT	BLOCKHASH	TRANSACTION FEES	CHARTER PERFORMANCE
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<b>Inputs and Outputs</b>							
<b>Summary</b>							
Size	\$62 (bytes)	Total Input	\$ 36,881.64	Total Output	\$ 36,854.55	Fee	\$ 27.09
Weight	2,846	Fees		Fee per type	440.64 sat/B	Fee per weight unit	111.16 sat/WU
Received Time	2018-01-06 08:58:44	Fee per weight unit		Estimated BTC Transacted	\$31,670.45	Estimated BTC Transacted	\$31,670.45
Included In Blocks	502813 ( 2018-01-06 09:04:31 + 6 minutes )	Estimated BTC Transacted		Estimated BTC Transacted		Estimated BTC Transacted	
Confirmations	4,728	Estimated BTC Transacted		Estimated BTC Transacted		Estimated BTC Transacted	
Visualize	<a href="#">View Txn Chart</a>	Estimated BTC Transacted		Estimated BTC Transacted		Estimated BTC Transacted	

**Exhibit 17 - Materials Produced by Participant 3**

Feb 27, 2018

I Frank E Calabro Jr would like to file an official report of an investment scheme being ran by David Gilbert Saffron and his attorney David Kagel.

I personally invested 50 Bitcoin into the investment scam on Jan 6<sup>th</sup> 2018. On that date the equivalent to US dollars was \$17,161 per BTC or \$858,050.00 USD.

David Saffron through an online webinar and in person meetings promised, convinced and explained how he could multiply Bitcoin through strategic arbitrage tactics in the crypto currency markets. He promised to double my investment of Bitcoin in as fast as 3 days. He then offered total security and safety to protect my investment through his attorney David Kagel.

My first in person lunch meeting with David Saffron was in Las Vegas on January 10<sup>th</sup> 2018. This gathering included several other investors. During our discussions David Saffron called his attorney Mr. David Kagel. David's cell phone was passed around the table to each investor attending that meeting. When I spoke to attorney David Kagel and introduced myself he was very friendly & personable on the phone. Mr. Kagel collected my email addresses and immediately sent a letter that insured my Bitcoin investment was not only safe, but back by a Bitcoin wallet in his control. The letter stated that his law firm had unrestricted access. In addition, he held no less than 1,000 Bitcoin in this wallet. The letter also stated the exact instructions to follow in the event of that David Saffron was unwilling or unable to return my deposit.

The last time that I have seen David Saffron was at a party he held in his Penthouse Suite at the Cosmopolitan Hotel & Casino in Las Vegas. I arrived to that gathering at midnight and I departed around 3am on Saturday January 6<sup>th</sup> 2018.

Communication since has been through other investors pulled into Saffron's scheme. There was no organization as to how we would be paid and exactly who to contact. Also, after the in-person meeting in Vegas which I left being told by David Saffron that he could double my Bitcoin every week, the duration of time (1 week) kept changing. From my notes and through what other investors were telling me, the new time table to double my coins was once every 21 days. I was never told when that 21-day trading cycle started or ended.

My next and last communication from David Saffron was on February 26<sup>th</sup> 2018. He stated in a text message that he had received a letter from his attorney Mr. David Kagel. This letter was from my Attorney John Owen Murrin and as part of a group of investors, we were requesting that our original Bitcoin be returned. The total amount of Bitcoin collected from our group of 8 investors was 206.5 bitcoins or \$3,543,746.50 in US dollars.

David Saffron stated that he had already made arrangements with our law firm to return the funds which is a lie as I had just gotten out of an hour-long meeting with our legal team just minutes before receiving Saffron's text.

I do not know how long or how many investors have been scammed in this ongoing charade. David Saffron and his attorney David Kagel must be arrested, charged and stopped from this criminal activity immediately. They have already stolen over 3 million dollars from our small group of 8 people.

In my last correspondence with David Saffron he boasted how is he continues to travel across the country presenting his fraudulent scheme. He has ties to organized crime in Australia and has a passport issued from that country. I fear that he will flee before being brought to justice. His actions are of a conniving felon and he must be stopped immediately!

Frank Calabro Jr

[REDACTED]  
Mcleansville, NC [REDACTED]  
Phone: (252) 503-2092  
[frankiecalabrojr@gmail.com](mailto:frankiecalabrojr@gmail.com)



David Saffron

8 mins · 11

\*\*\*

Dear All ,

My name is Alan Saffron David's father, Today I gained access to David's account for the first time and his phone  
I've been answering all messages and reaching out to many.

My son has been in a coma from January 23rd till feb 12th , doctors say he will be fully back on his feet by this Wednesday however we do not know yet as to the extent of memory loss

Many rumors such as deportation or death or him being locked up are on the internet

Some of these spread by us to protect him  
While he lays here recovering.

This is what happened

January 23rd at 11pm

David was assaulted in his home by an armed assailant he was struck in the face with a gun and forced to the ground.

At 11:30pm he was forced at gun point to read a statement on video about his trading platform being a scam, (which it is NOT)!!!

At 12pm the robber left David tied on the floor bleeding

Paramedics and cops arrived at 12:15am

By 12:25am paramedics noticed a clot on David's head (visible)!!  
They rushed him to hospital

At 4am January 24th 2018

David entered a coma

He woke up on the 12th February 2018

I have been visiting him daily

Today he stated to write

He gave me access to his accounts and I'm writing this to you all.

Doctors say he should be fully recovered by 28th February 2018

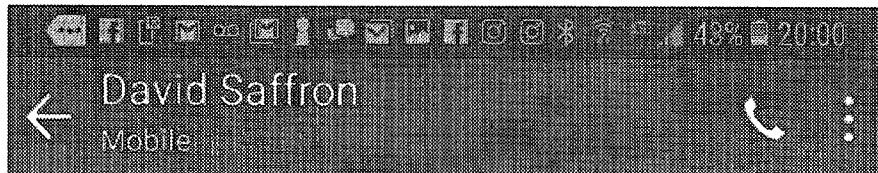
And back on phone a few days prior

Message in comments your number and I'll call you with more details

Please no rumor or negative comments this has been a very hard time for our family.

Much love

Alan Saffron



David it has been a few weeks, let's connect soon. Your Dad said you were in rough shape but now doing better. Looking forward to hearing about our results. When is the next meeting? Things are looking up.

Sorry who is this ???  
My phone blanked

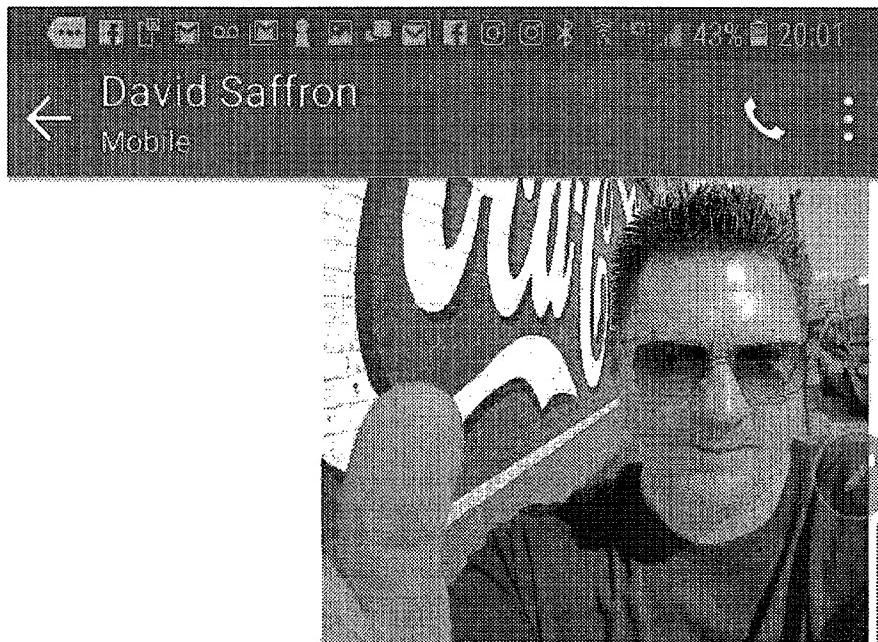
The biggest producer on the planet!

Music or film



+ Type a message...



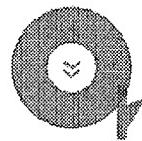


Affiliate marketing. #1 man in the world in 7 companies simotaniosly

Oh yes ok  
I'm doing better  
I'm currently in Boston for meetings  
Nyc tomorrow  
Then Atlanta  
Then Texas

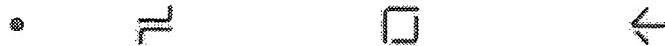
Your gonna have to remind me how many coins owed if any

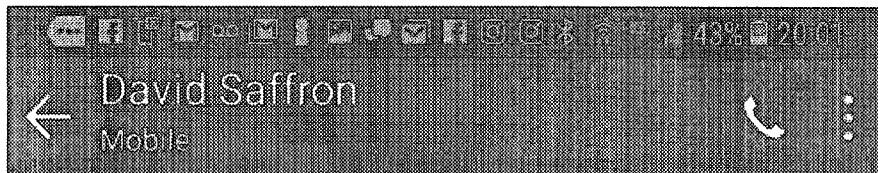
My phone and computer where stolen



Just direct me to the account

+ | Type a message...





Just direct me to the account manager. I want to check my balance and submit a withdraw request. I am negotiating a 15 acre land deal in North Carolina. Need some funds.

Plaintiffs are continuing to return the bitcoin it has been nonresponsive to our clients' attempts to contact him. Mr. Saffron promised to pay the investors back. Moreover, though made to Mr. Kagel seeking to return the investors' deposit, it now appears that Mr. Kagel seems to be back-pedaling on his cryptocurrency wallet.

re, please let this letter serve as our clients' ten business day notice of bitcoin or cryptocurrency in Mr. Saffron's Bot Investment letter is being sent to both David Saffron and David Kagel pursuant to the January 7, 2018 letter.

Finally, the following investors are requesting the return of the bitcoins held during the time period of January 2, 2018 through January 6, 2018:

A partial list of investors demanding a return of the above described in

Rodney Burton	50.0	Bitcoins
Frank E. Calabro Jr.	50.0	Bitcoins
Hitesh Junega	20.0	Bitcoins
Michael Jamison Palmer	50.0	Bitcoins
Kameron Pollock	2.5	Bitcoins
Nathan Van Tuyl	28.0	Bitcoins
Dee Washington	5.0	Bitcoins
<u>Eddie Wilds</u>	1.0	Bitcoin

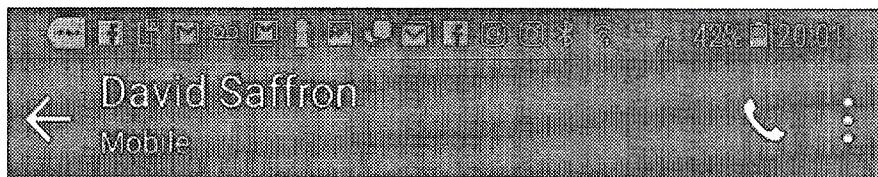
For a total of 206.5 Bitcoins deposited and not returned.

: from Mr. Kagel in his January 7, 2018 letter to our client investors. [Mr. David Saffron] has agreed to at all times maintain the deposit in a trust account and to give this firm unrestricted access to it. If you have not received the deposit from Mr. Saffron within five business days' notice

Apparently there's a lawyer involved  
for you on the claim it's 50 coin  
I have all of the 206.5 going to him

+ Type a message...





Apparently there's a lawyer involved  
for you on the claim it's 50 coin  
I have all of the 206.5 going to him  
in 3 days

That would be fine.

I take it our agreement is off the  
table?

Send

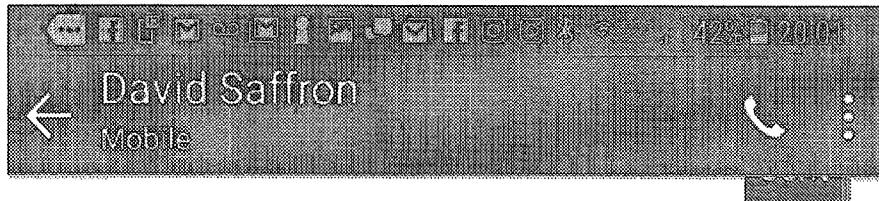
I never wanted that  
I was in a coma for 1 week after  
robbery then in jail on a stupid fix it  
ticket  
When I came out  
I went submitted to unlock bot  
And started contacting people  
I said 7 days it will all be paid giving  
me time to recoup

Then this lawyer sent letter

Plus I'm hearing from detectives

+ Type a message...





I never wanted that  
I was in a coma for 1 week after  
robbery then in jail on a stupid fix it  
ticket

When I came out  
I went submitted to unlock bot  
And started contacting people  
I said 7 days it will all be paid giving  
me time to recoup

Then this lawyer sent letter

Plus I'm hearing from detectives  
that Rodney paid the guy  
that attacked me and that's  
disconnecting

So that's where I am  
Take your name of the lawsuit I'll  
pay you the 150 as original planned  
by Monday

Leave it you'll get the money on  
paper Friday

D

+ Type a message...





There's already a lawyer hired you  
have a case against me I've  
answered lawyer with my lawyer  
There's nothing else I can do



That is a civil matter. I will pursue  
going to the FBI and SEC for criminal  
case. Like I said expedite quickly. I'm  
filing tomorrow. Today was the legal  
deadline.



Well I made agreement with your  
lawyer already  
You would break that by filling  
So go head

I'll inform my lawyer

Well I made agreement with your  
lawyer already  
You would break that by filling  
So go head



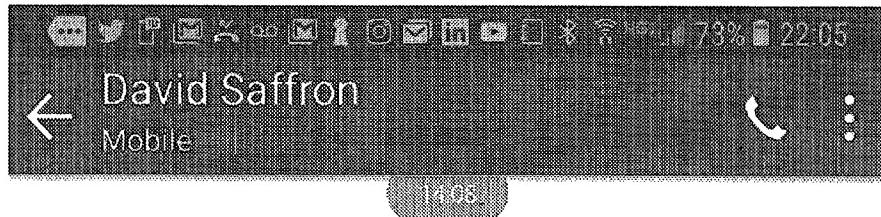
I'll inform my lawyer

Lawyer has informed me not to talk  
to you  
Please talk via your lawyer thank you

Lawyer has informed me not to talk  
to you

Please talk via your lawyer thank you



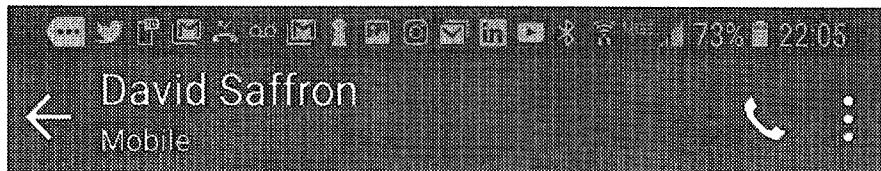


Hello David, in our last correspondence on Monday you stated that you would be sending 206.5 bitcoin going to the lawyer representing our refund request. You stated that would take place in 3 days which would be on Thursday March 1st. I am a retired US Marine, a man of honor & integrity. As a professional courtesy I will accept your words as a contract of your responsibility. You have left everyone in the dark since the start of this venture and you have not been at all organized in communication or procedure for your clients. On Friday 9am pst if you have not honored your own promises as a man of your word I will report this entire incident which is all documented to a dozen local, state and federal government authorities. The ball is in your court. There is no need to reply back. This is my last attempt.



Type a message...

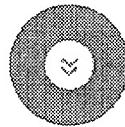




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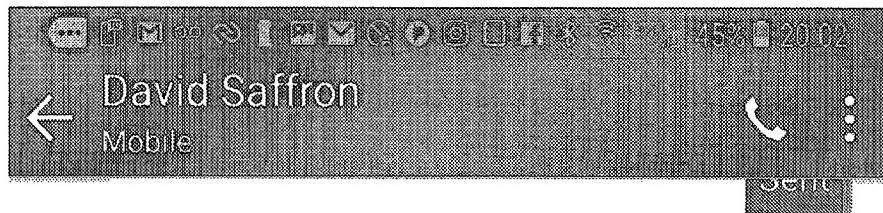
19:17

Frank please text  
Your wallet address if I can get  
coins for you I'll send by midnight  
Thursday  
D



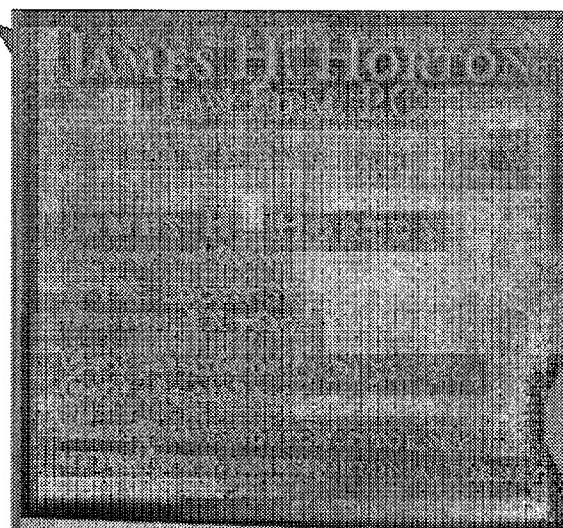
+ Type a message...





Again  
I have been fully transparent  
My dad actually wants to talk and  
explain from his point of view  
Would you be willing to listen

12:13



This lawyer now handling  
all payments please  
contact him

Regards  
David

+ Type a message...



P. AUS  
SAFFRON  
DAVID GILBERT  
AUSTRALIAN  
[REDACTED] 1972  
M SYDNEY  
11 FEB 2010  
11 FEB 2020  
WASHINGTON  
P <AUSSAFFRON<<DAVID<GILBERT<<|||||><|||||>  
<8AUS72 [REDACTED] 4M2002112<25731953D<<|||>

**Perpetrator's in the Bitcoin Investment Fraud Scheme**

David G. Saffron  
[REDACTED]

North Hollywood, CA [REDACTED]  
Phone: (310) 849-6408

Attorney David Kagel  
9400 Readcrest Drive  
Beverly Hills, CA 90201  
Phone: (310) 993-2129  
<http://members.calbar.ca.gov/fal/Member/Detail/58961>

Possible Accomplice -

Trevor Kohli - Worked for David Saffron and introduced our group of investors to Saffron. He has been seen on social media the past couple months spending money traveling and purchased an expensive car.

[www.facebook.com/trevor.kohli](http://www.facebook.com/trevor.kohli)

[www.linkedin.com/in/trevor-kohli-47057957](http://www.linkedin.com/in/trevor-kohli-47057957)

IC3 logo

Complaint Referral Form  
Internet Crime Complaint Center

---

Thank you for submitting your complaint to the IC3. Please save or print a copy for your records. /\*This is the only time you will have to make a copy of your complaint.\*/

Victim Information

Name: Frank Calabro Jr

Business Name:

Age: 50 - 59

Address: [REDACTED]

Address (continued):

Suite/Apt./Mail Stop:

City: McLeansville

County: NC

Country: United States of America

State: North Carolina

Zip Code/Route: [REDACTED]

Phone Number: 2525032092

Email Address: frankiecalabrojr@gmail.com

Business IT POC, if applicable:

Other Business POC, if applicable:

Financial Transaction(s)

Transaction Type: Virtual Currency

If other, please specify:

Transaction Amount: \$858050.00

Transaction Date: 01/06/2018

Did you send the money? Yes

---

Victim Bank Name: Ledger Nano S

Victim Bank Address:

Victim Bank Address (continued):

Victim Bank Suite/Mail Stop:

Victim Bank City:

Victim Bank Country: [None]

Victim Bank State [None]

Victim Bank Zip Code/Route:

Victim Name on Account: Frank E Calabro Jr

Victim Account Number: btc wallet

---

Recipient Bank Name: Ledger Nano S

Recipient Bank Address:

Recipient Bank Address (continued):

Recipient Bank Suite/Mail Stop:

Recipient Bank City:

Recipient Bank Country: [None]

Recipient Bank State [None]

Recipient Bank Zip Code/Route:

Recipient Name on Account: Frank E Calabro Jr

Recipient Bank Routing Number:

Recipient Account Number: btc wallet address

Recipient Bank SWIFT Code:

Description of Incident

Provide a description of the incident and how you were victimized.

Provide information not captured elsewhere in this complaint form.

I Frank E Calabro Jr would like to file an official report of an investment scheme being ran by David Gilbert Saffron and his attorney David Kagel.

I personally invested 50 Bitcoin into the investment scam on Jan 6th 2018. On that date the equivalent to US dollars was \$17,161 per BTC or \$858,050.00 USD.

David Saffron through an online webinar and in person meetings promised, convinced and explained how he could multiply Bitcoin through strategic arbitrage tactics in the crypto currency markets. He promised to double my investment of Bitcoin in as fast as 3 days. He then offered total security and safety to protect my investment through his attorney David Kagel.

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I do not know how long or how many investors have been scammed in this ongoing charade. David Saffron and his attorney David Kagel must be arrested, charged and stopped from this criminal activity immediately. They have already stolen over 3 million dollars from our small group of 8 people.

In my last correspondence with David Saffron he boasted how he continues to travel across the country presenting his fraudulent scheme. He has ties to organized crime in Australia and has a passport issued from that country. I fear that he will flee before being brought to justice. His actions are of a conniving felon and he must be stopped immediately!

Which of the following were used in this incident? (Check all that apply.)

~ Spoofed Email

~ Similar Domain

~ Email Intrusion

â~ Other

Please specify:

Law enforcement or regulatory agencies may desire copies of pertinent documents or other evidence regarding your complaint.

Originals should be retained for use by law enforcement agencies.

Information About The Subject(s) Who Victimized You

Name: David G. Saffron

Business Name:

Address: [REDACTED]

Address (continued):

Suite/Apt./Mail Stop:

City: North Hollywood

Country: United States of America

State: California

Zip Code/Route: [REDACTED]

Phone Number: 3108496408

Email Address:

Website: www.facebook.com/AOS2017

IP Address:

---

Name: David Kagel

Business Name: Attorney Kagel Law

Address: 9400 Readcrest Drive

Address (continued):

Suite/Apt./Mail Stop:

City: Beverly Hills

Country: United States of America

State: California

Zip Code/Route: 90201

Phone Number: 3109932129

Email Address: dkagel@earthlink.net

Website: www.lawyercontact.us/lawyer/los-angeles-law-firm-david-l-kagel

IP Address:

#### Other Information

If an email was used in this incident, please provide a copy of the entire email including full email headers.

Fraud Documents from Frank Calabro Jr

<https://drive.google.com/drive/folders/16RviXHG VyEeZEp8VdNWKxWm0HnweH96V>

#### Additional Evidence Files

[https://drive.google.com/drive/folders/108JgM6UehzhOnznOgjkpIT77\\_pd94p2t](https://drive.google.com/drive/folders/108JgM6UehzhOnznOgjkpIT77_pd94p2t)

Are there any other witnesses or victims to this incident?

Rodney Burton - 50 Bitcoins

Frank E. Calabro Jr. - 50 Bitcoins

Hitesh Junega - 20 Bitcoins

Michael Jamison Palmer - 50 Bitcoins

Kameron Pollock - 2.5 Bitcoins

Nathan Van Tuyl - 28 Bitcoins

Dee Washington - 5 Bitcoins

Eddie Wilds - 1 Bitcoin

For a total of 206.5 Bitcoins deposited and not returned.

If you have reported this incident to other law enforcement or government agencies, please provide the name, phone number, email, date reported, report number, etc.

I did call the FBI in Los Angeles, CA. Filed a report with Daniel (310) 477-6565, on March 2, 2018.

Check here if this an update to a previously filed complaint:

Who Filed the Complaint

Were you the victim in the incident described above? Yes

Digital Signature

By digitally signing this document, I affirm that the information I provided is true and accurate to the best of my knowledge. I understand that providing false information could make me subject to fine, imprisonment, or both. (Title 18, U.S. Code, Section 1001)

Digital Signature: Frank E Calabro Jr

Thank you for submitting your complaint to the IC3. Please save or print a copy for your records. /\*This is the only time you will have to make a copy of your complaint.\*/

Event Timeline:

David Saffron Investment Fraud Scheme

Jan 5<sup>th</sup> - attended zoom webinar (zoom meeting id: 251-997-3628) David Saffron presented his Bitcoin trading strategy.  
Video clip: <https://youtu.be/AcSXWX6taZY>

Jan 6<sup>th</sup> - I invested 50 Bitcoin or \$858,050.00 USD into David Saffron's investment plan. I was told my 50 Bitcoin would be doubled by Tuesday the 9<sup>th</sup> because of special market conditions.

Jan 8<sup>th</sup> - I flew to Las Vegas late Monday night. I wanted to meet David Saffron in person and other Bitcoin investors. I also planned on collecting my earnings in person.

Jan 10<sup>th</sup> - 1<sup>st</sup> meeting with David Saffron and other investors. There were approx. 8 people in our lunch party. Meeting lasted around 2 hours. Contact with attorney Mr. David Kagel was made via phone during this event.

Jan 11<sup>th</sup> - 2<sup>nd</sup> meeting with David Saffron and several other investors at the Vesper Bar & Lounge inside of the Cosmopolitan Hotel & Casino. I arrived around 12pm and the gathering was already in session. This gathering lasted around 1 hour. We were all invited to David Saffron's hotel suite at midnight that evening for a party.

Jan 13<sup>th</sup> - I flew home to North Carolina that afternoon.

Jan 16<sup>th</sup> - I sent David Saffron a text message and informed him that I was going to withdraw my seed money of 50 bitcoin the next day which was Wednesday Jan 17<sup>th</sup>. His reply was: ok

Jan 17<sup>th</sup> - All the investors that I was in contact with including myself thought this was going to be payday. There was no communication from David Saffron nor did anyone get paid. I am confused because I am trying to calculate when the 21-day trading cycle begins or ends. The terms keep changing and there is zero professional accountability.

Jan 23<sup>rd</sup> - David Saffron is arrested for an old warrant in Fulton County Georgia

Jan 23<sup>rd</sup> - one of the Bitcoin investors Rodney Burton sent me a photo of David Saffron: His arms are in duct tape and to me, it looks like a prank. Rodney informs me that out of the blue he gets this photo from David Saffron's phone.

Jan 25<sup>th</sup> - I sent attorney David Kagel an email asking about David Saffron and to verify the bitcoin wallet balance amount.

Jan 25<sup>th</sup> - I called attorney David Kagel to follow up with a conversation that we started on January 10<sup>th</sup> while I was in Las Vegas. Toward the end of my consultation I am told that David Saffron had an accident. David Kagel said his client was roughed up and gun was pulled on him and in bad shape. He also stated that David Saffron had his phone and computer taken from him. He went on to say that David Saffron would be out of commission for a few weeks. I immediately wish David a speedy recovery and asked if the 1,000 Bitcoin wallet was safe. Mr. Kagel did not seem to understand how to access the bitcoin but assured me that everything was going to be okay.

Jan 26<sup>th</sup> - I contact 3 of the investors that I personally know and all are thinking that David Saffron is a scam artist including myself.

Jan 30<sup>th</sup> - retained the Murrin Law Firm 7045 E Los Santos Dr, Long Beach, CA 90815 to represent our group of investors. As a group we have contacted attorney David Kagel and followed the 10 day return of deposit followed by the 5 business notice for returned deposit from the unrestricted access notice.

February 1<sup>st</sup> - ten-day notice letter for return of deposit is sent to Mr. Kagel and Mr. Saffron

February 12<sup>th</sup> - reply letter from attorney David Kagel to Murrin Law firm explains David Saffron had personal and legal issues. This letter states David Saffron will contact and return deposits to all investors.

Feb 15<sup>th</sup> – second letter sent to attorney David Kagel (5 day further notice for return of deposit) is requested and asked that written agreements be honored.

Feb 16<sup>th</sup> – David Saffron post bail and is released from jail in Georgia.

Feb 17<sup>th</sup> – a post is made on David Saffron's Facebook account. The notice states it is from Alan Saffron David's father. The timeline and events listed say that David was in a coma the same time that he was in jail.

Feb 26<sup>th</sup> – Frank Calabro Jr contacts David Saffron via text message. David Saffron states he has my 50 coins and it will be included in the group total refund of 206.5, this amount will be sent to my lawyer in 3 days or on March 1<sup>st</sup> 2018. I documented this entire conversation.

Feb 27<sup>th</sup> – Frank Calabro Jr contacts David Saffron via text message. David reply back with he will refund my 50 bitcoin by midnight March 1<sup>st</sup> 2018. He also asks for my bitcoin wallet address.

March 1<sup>st</sup> – email from attorney David Kagel stating that bitcoin will be returned at some point.

March 1<sup>st</sup> - Murrin Law Firm replies to David Kagel letter.

March 2<sup>nd</sup> – Frank Calabro Jr checks his bitcoin wallet address, coins have not been refunded as promised.

**KAGEL LAW**  
A Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
TELEPHONE: (310) 860-9975  
E-MAIL: dkagel@earthlink.net

January 10, 2018

Frank Calabro, Jr.  
frankiecalabrojr@gmail.com

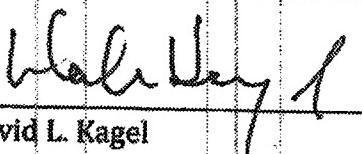
Dear Mr. Calabro:

This firm acts as counsel to David Saffron. We understand that you will be depositing bitcoin and other forms of cryptocurrency with Mr. Saffron which he will be investing on your behalf. He has agreed to return your investment to you together with a profit. In order to assure that your deposit will be returned in the event that Mr. Saffron is unable or unwilling to do so he has deposited at least one thousand bitcoin in a wallet to which he has given us access. He has agreed to at all times maintain the deposit in the wallet and give this firm unrestricted access to it. If you have not received the return of your deposit from Mr. Saffron following ten business days' notice to him with a copy to us, upon five business days' notice to us we will return your deposit from the aforementioned wallet.

You agree to copy us on all written communication between you and Mr. Saffron and to advise us of the contents of all verbal communications between the two of you.

Very truly yours,

Kagel Law, a Professional Corporation

By   
David L. Kagel



David Kagel &lt;davidkagel@gmail.com&gt;

---

**Re: Saffron7899**

2 messages

**QM FINACE** <...>@gmail.com>  
To: "David L. Kagel" <dkagel@earthlink.net>

Wed, Feb 28, 2018 at 9:57 PM

Dear Sir,

The matter has been pending for 6 working days, our legal department is verifying your clients documents.  
we told him this process would take 14 working days.

Please provide your clients security pass key ?

Please provide your clients last transaction date and amount?

Please provide your clients last session and BTC thru put?

Verify these things and we can close his account, once closed his money will be returned to your BTC trust account  
within 5 working days.

kind Regards

Mr Wang Ta

On Tue, Feb 27, 2018 at 6:40 PM, David L. Kagel <dkagel@earthlink.net> wrote:

This matter has been pending of far too long. I need a response from your legal department within 24 hours and the  
return of my client's BTC immediately. David L. Kagel

---

-----Original Message-----

From: QM FINACE  
Sent: Feb 27, 2018 3:20 PM  
To: David Kagel  
Subject: Re: Saffron7899

We Have received your inquire and will forward to our legal department.  
within 24-72 hours

Regards

Tony Gama  
QM8

2018-02-27 14:45 GMT-05:00 David Kagel <dkagel@earthlink.net>:

David L. Kagel  
Kagel Law, a Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
Office 310-860-9975  
Cell 310-993-2129

---

David Kagel <davidlkagel@gmail.com>  
To: Erwin 2 <davidsaffron@live.com>

Wed, Feb 28, 2018 at 10:24 PM

Sent from my iPhone

Begin forwarded message:

**From:** QM FINACE <qm8site@gmail.com>  
**Date:** February 28, 2018 at 9:57:18 PM PST  
**To:** "David L. Kagel" <dkagel@earthlink.net>  
**Subject:** Re: Saffron7899

{Quoted text hidden}

Answers to questions :

Pass Key:

—BEGIN PGP PUBLIC KEY BLOCK—  
Version: BCPG C# v1.6.1.0

[REDACTED]

Bc5S29zjtg46GlsMXv9kQZC+LyqcHiP6Rj5AoRhOmbLc4G2i7XJDM34ZeQt  
KJr8honZE8WTyr/p2RyJj37UeGOYy2InyXdhYg1LLXGWoDc2XgvnBylJEvI  
WzbAvRibJSfuZeChoocj0YJpBTi3Ys+RVKZfWg8Ily9IG5TS0B93AvpM0G9rv  
rS3cchVw0TdDhakSbw2WbHIGb1jUDwDNYHUSdVewpQ9GXTVU4kD3OPt  
ijynZeQ4Q5ULEnD7jec9G9w1/upK4F0jDvRnABEBAAG0FHNhdG9zaGljYXN  
aWwuY29tiQEeBBABAqAGBQJZ5Fb6AAoJEPkEliz+Ev8FziAH/33dueB2Mj+r  
mSrMF+oT9p+pV6tm/50Y90p6WfQiZbxik2VEBC89aDxmdqwyCD/+qpXXI+4  
KgNKI46if/IHrF4H8g9u7SBmzi+3BFjCeFNAPAv+bdWDGRcKupyuWprri+7Zc  
z4nC9zaiy1WPqTLu9nUUOc7+qW6+d2F/qEmjaCx16VhwI9plQMflEhscYInE  
vmMwHdcG4Expr5FmwC3N3RQX64OlpujS94dyU5R5tXHc4w7BMmBcnRu2  
KBKDIS3vkmJfb8Y8EEExX/gS9kdKnkIJ55Xq+WPeK6OPeo9849Z0Wi4pWLrVc  
bs/zjUk=  
=go0N  
—END PGP PUBLIC KEY BLOCK—

Last Transaction : Jan 22 2018 Amount 459BTC

<https://mail.google.com/mail/u/0/#inbox/161e022f8fb7e980>

Page 1

M U R R I N   L A W   F I R M

EST. 1977

Mailing address:  
7045 E. Los Santos Drive  
Long Beach, CA 90815  
562-342-3011 (Office)  
562-724-7007 (Fax)

J. Owen Murrin  
[www.murrlawfirm.com](http://www.murrlawfirm.com)  
[jmurrin@murrlawfirm.com](mailto:jmurrin@murrlawfirm.com)  
Practicing law in California & North Dakota only.  
Nationwide Securities Arbitration and Mediation Services.

Client Appointment Office:  
5150 Pacific Coast Highway  
Suite 200, Long Beach, CA 90804

March 1, 2018

*Via Email*

David L. Kagel, Chief Executive Officer, Director  
Kagel Law, a Professional Corporation  
[dkagel@earthlink.net](mailto:dkagel@earthlink.net)

Ina Kagel  
Chief Financial Officer, Secretary, and Director of Kagel Law, APC  
[ikagel@earthlink.net](mailto:ikagel@earthlink.net)

**Re: Return of Bitcoin Deposit**

Dear Mr. David L. Kagel and Ms. Ina P. Kagel;

We are in receipt of your email this morning which states for us to expect “the BTC wallet to be released shortly.” Recall that your February 12<sup>th</sup> letter stated that Mr. Saffron would be in a position to “return their (the investors’) deposits or otherwise make arrangements satisfactory to them. I expect that he will be able to begin that process by the end of this week.” It has now been almost three weeks and now you have yet another delay tactic in claiming that because of some alleged investigation of the assault on David Saffron, “the deposits will be held pending the outcome of the investigation.” Your attachment to your email did not reference any investigation of an assault, nor do we have any evidence of an assault or investigation. You have no basis whatsoever to withhold my clients’ deposit based on some alleged investigation. If indeed there is an investigation, please provide proof of this investigation of an assault on David Saffron, or provide a signed release authorizing our firm to obtain the Sheriff’s department January 23, 2018 arrest records of David Saffron.

Your failure to provide the information below and the signed release in the next 96 hours, or by Monday, March 5, 2018 will be deemed either an outright breach or an anticipatory repudiation of your obligation to indemnify pursuant to your January 7, 2018 letter to my clients.

As Attorneys, promising to provide an escrow function for the benefit and security of my clients, you have a fiduciary duty. We are deeply disappointed that your response to our letters has not provided us with any of the information we requested previously. Namely, my clients have requested the following information which you have not responded to. We have the right to this information:

Mr. Kagel, Ms. Ina Kagel, Kagel Law, APC  
March 1, 2018  
Page 2

1. Given that my clients were told that this is a Ledger Nano Account, my clients want the receiving address verifying that the cryptocurrency was received and is still being held in one wallet and that the coins have not been dissipated into various and many wallets.
2. Given that my clients were told that your office, Kagel Law, APC, would be acting to "assure" that the deposit would be returned, my clients demand proof from you that the coins still exist in the wallet.
3. In furtherance thereof, my clients want viewing access to the wallet holding their deposit. As you know viewing a wallet is easily done if in possession of the correct watching wallet address. Viewing does not allow withdrawal. Allowing my clients access to the watching wallet address will assure my clients that the coins still exist.
4. My clients are confused about your statement that "Mr. Saffron disabled access to them (cryptocurrency) by anyone other than himself." My clients want you to define "access". Is access to this wallet through a key, through a PIN number or through other means? Again, it defies logic that if you previously had unrestricted access to the wallet, that Mr. Saffron could disable that access during a stressful event as described in your February 12<sup>th</sup> letter.

5. My clients were assured that your office was performing an escrow function. As such, my clients want to know what precautions you have taken to assure the safekeeping of my clients' deposit.

Again, our clients have not received the return of their deposit or the promised return on their investment. Please return the deposit by Monday at noon, March 5, 2018, or we will take the appropriate legal action to assure that our clients' oral and written agreements with Mr. Saffron and Kagel Law, APC, (Mr. Kagel and Ms. Kagel), are honored.

Please do not hesitate to give me a call if you wish to resolve this matter swiftly and amicably, or if you have any questions, suggestions, or instructions on how my clients can obtain the deposited bitcoin as quickly and efficiently as possible in accordance with the assurances that your firm and Mr. Saffron gave to my clients.

Very truly yours,

MURRIN LAW FIRM



. Owen Murrin

01/31/2018 at 6:48 PM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/31/2018 at 1:12 AM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/29/2018 at 1:16 PM	<input checked="" type="radio"/> My account	cc [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/29/2018 at 1:07 PM	<input checked="" type="radio"/> My account	to [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/15/2018 at 3:04 PM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/15/2018 at 1:28 PM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/15/2018 at 10:36 AM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/05/2018 at 9:41 PM	<input checked="" type="radio"/> My account	to [REDACTED] 071	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/06/2018 at 4:40 PM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/05/2018 at 2:09 PM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/05/2018 at 1:44 AM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/05/2018 at 9:24 AM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/05/2018 at 9:19 AM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/02/2018 at 2:28 PM	<input checked="" type="radio"/> My account	from [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

01/31/2018 at 1:12 AM	• My account	from [REDACTED]
01/29/2018 at 1:16 PM	• My account	to [REDACTED]
01/15/2018 at 3:04 PM	• My account	from [REDACTED]
01/15/2018 at 1:28 PM	• My account	from [REDACTED]
01/15/2018 at 10:36 AM	• My account	from [REDACTED]
01/06/2018 at 9:41 PM	• My account	to [REDACTED] B7F
01/06/2018 at 4:40 PM	• My account	from [REDACTED]
01/05/2018 at 2:09 PM	• My account	from [REDACTED]
01/05/2018 at 11:44 AM	• My account	from [REDACTED]
01/05/2018 at 9:24 AM	• My account	from [REDACTED]
01/05/2018 at 9:22 AM	• My account	from [REDACTED]
01/05/2018 at 9:19 AM	• My account	from [REDACTED]
01/02/2018 at 2:28 PM	• My account	from [REDACTED]

Jan 5<sup>th</sup> - attended zoom webinar (zoom meeting id: 251-997-3628)

David Saffron presented his Bitcoin trading strategy.

Video clip: <https://youtu.be/AcSXWX6taZY>



21% 8:44 PM



State of California Inmate Loc... | Jail and Custody Related Ques... | LASD Inmate Information Center | X | +



(The Information was current as of: 01/27/2018 20:29 PST)

[VINELink](#)

[Search For Another Inmate](#)

[Back To The Search Result](#)

Booking No.: 5211943 Last Name: SAFFRON First Name: DAVID Middle Name: GILBERT

Sex: M Race: W Date Of Birth: [REDACTED] 972 Age: 45 Hair: BRO Eyes: BRO Height: 603 Weight: 240

Charge Level: F (Felony)

#### ARREST

Arrest Date: 01/23/2018 Arrest Time: 0400 Arrest Agency: 4215 Agency Description: LAPD-NO HOLLYWOOD DIVISION

Date Booked: 01/23/2018 Time Booked: 1206 Booking Location: 4279 Location Description: LAPD - VALLEY JAIL (VAN NUYS)

#### BAIL

Total Bail Amount: NO BAIL Total Hold Bail Amount: 0.00 Grand Total: NO BAIL

#### HOUSING LOCATION

Housing Location: IRC

Permanent Housing Assigned Date: 01/27/2018 Assigned Time: 1017 Visitor Status: N

Facility: INMATE RECEPTION CENTER

Address: 450 BAUCHET STREET City: LOS ANGELES

#### Public Visiting Guidelines

For County facility visiting hours, Please call (213) 473-6080 at inmate Information Center.

#### COURT

Next Court Code: M30 Next Court Date: 02/08/2018 Next Court Time: 0830 Next Court Case: BA46493501

Court Name: LOS ANGELES MUNI CT DIV 30

Court Address: 210 W. TEMPLE STREET Court City: LOS ANGELESUPT

#### RELEASE

No Information On Release Date.

#### CASE INFORMATION

Case No.	Court Name	Court Address	Court City	Bail Amt.	Fees Amt.	Court Date	Sent. Date	Sent. Day(s)	Disp Code
BA*****				NO BAIL	.00	02/08/2018		0	

Click on specific Case No. for detailed information.

 Frank E Calabro Jr <frankiecalabrojr@gmail.com>

Jan 25 

to David 



Hello David,

I sent you a text yesterday about setting up a consultation  
for corporate structure.

I could actually fly out to Los Angeles and would like to at some  
point, to meet with you in person.

Also I wanted to verify the one thousand Bitcoin balance held  
in Escrow.

David Saffron has not paid anyone in our group and it is unclear  
as of why that is the case.

I recall how much you said that you liked Hendersonville, NC  
and I am actually going there on a weekend getaway in 3 weeks.

Looking Forward To Our Meeting,

Frank Calabro Jr

252-503-2092

---

2018-01-10 19:28 GMT-05:00 David Kagel <[dkagel@earthlink.net](mailto:dkagel@earthlink.net)>:

## Exhibit 18 - Materials Produced by Participant 4

Message

**From:** Hitesh Juneja [hitesh93@gmail.com]  
**Sent:** 10/9/2018 7:17:43 PM  
**To:** Amakor, Michael O. [/o=CFTC/ou=Washington, DC/cn=Recipients/cn=mamakor]  
**Subject:** Re: Subpoena from the CFTC

Hi Michael,

Just wanted to add a note that we dropped the lawsuit after his 100 btc payment back to us on April 15. Though he hadn't paid others back yet, we couldn't justify the cost and time commitments to running a lawsuit when we had already received a payment from him.

On Tue, Oct 9, 2018 at 4:39 PM Hitesh Juneja <[hitesh93@gmail.com](mailto:hitesh93@gmail.com)> wrote:

Hi Michael,

As per our phone conversation, I have attached all the information I compiled originally for our lawsuit and any updates since.  
I hope this helps!

Sincerely,  
Hitesh Juneja

On Tue, Oct 9, 2018 at 3:23 PM Amakor, Michael O. <[mamakor@cftc.gov](mailto:mamakor@cftc.gov)> wrote:

Dear Mr. Junega,

Please find attached a Subpoena and two related documents from the U.S. Commodity Futures Trading Commission's ("CFTC") Division of Enforcement in the matter of David G. Saffron and David Kagel.

Should you have any questions please contact me, thank you.

Sincerely,



Michael O. Amakor

**Futures Trading Investigator**

Division of Enforcement, U.S. Commodity Futures Trading Commission

1155 21<sup>st</sup> Street, NW | Washington, DC 20581 | Tel: 202.418.5553 | Fax 202.418.5124

The previous message is a private U.S. Government communication. This message and all attachments are a private communication sent by a Federal Investigator and may be confidential or protected by privilege. If

you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the information contained in or attached to this message is strictly prohibited. Please notify the sender of the delivery error by replying to this message, and then delete it from your system.

**Original Information shared with our attorney:**

Nathan will be providing you with complete timelines. I am including my experience here:

January 1st and 2nd I received calls from Nathan and Dion informing me that they were in Las Vegas meeting with David Saffron who had promised them 3 to 1 returns in as little as 3 days on Bitcoin investments. I was put on call with David who made the following claims:

- Mr. Saffron was trading and managing a portfolio of over 5000 bitcoin (roughly \$75million)
- He was using an automated robot/AI/trading software that was able to open and close positions automatically and net him a 5 to 8 times return on the trades.
- He required more funds to be able to scale up his trading.
- He had 1000 BTC (about \$15m) in a private escrow that David Kagel (his attorney) had access to. In case he was unable to provide the promised returns within the provided timeframe, Mr. Kagel would access the escrow to pay out to the investor.

The letter shared with me for this purpose is here ->

<https://drive.google.com/open?id=0B73W4ajUYPF6MmxRTjk4dmZGYUo4NDZTcWFpSFJ1LXFUazVF>

On January 3rd, I received text from Nathan confirming that he had done a 10btc investment (\$150,000) and received 30btc (\$450,000) payment in a 24 hour period. I was told the source of this increase was the cutting edge software trading that David Saffron was utilizing.

On January 4th I flew out to Vegas to meet David Saffron and his group. We had a preliminary meeting where he re-stated the points he made over the phone (noted above). At this point he invited us (Nathan, Dion, and I) to his room so he could share more evidence of returns.

He showed a few screenshots of returns to other clients. He said he had open positions available that would mature on Sunday and would provide a 3 to 1 return, failing which the escrow would cover this investment, and excused himself to attend some phone calls. Based on Nathans' experience and the information presented I personally had my business partner send in 20btc with the expectation of 60 BTC return on the following sunday, 3 days later.

On Sunday, David Saffron got on a phone call with me and suggested that I invest additional funds and that I should expect to receive 60btc in a few hours. He put me on call with David Kagel and had him confirm again that he indeed had an escrow and also sent me the attached letter. I promised further investment after the first return was done.

Over the course of the next 20 days David Saffron made tens of excuses including demonstrably false statements (such as claiming he sent the funds to Nathan, that it was stuck in the banking channels and so on). He further apologized for the delay and promised to increase the return to 65btc, then 70 btc, and eventually 130btc with the

promise to return the funds 21 days from initial investment (January 25-26). He claimed that his usual cycle was 21 days but in an effort to please Nathan he promised it in 3 days which he was unable to keep.

During this time he continued to push for more investments, which I continued to promise only on delivery of the initial deal.

On January 13th, I spoke with David Kagel and asked him to release the funds from the escrow. Mr. Kagel promised to do so. A few hours later, I asked again for a status update and he claimed to have released the funds to Mr. Saffron after stating he wasn't in town to do so, and then claiming he had "done what was needed and now David Saffron will handle things".

Mr. Saffron meanwhile claimed that Mr. Kagel didn't know how to work with Bitcoin properly and had misled me about releasing the bitcoin. Over the next few days the same excuses continued and Mr. Saffron stated he was closing additional clients and would use those funds to "leverage his positions" and would be able to pay me back. As of today, the same excuses continue. During this time I have been able to research further into Mr. Saffron and Mr. Kagel's backgrounds and discovered this is typical for them. I also spoke with other victims not related to Nathan's group who have been put through the same process and are currently trying to recover their funds.

Nathan will be able to furnish more complete timelines including his experience, audio and video recordings of David Saffron making such claims and trying to close clients.

#### **Information from Nathan:**

Here is an audio recording of the initial meeting I had with David Saffron at his hotel room at the Cosmopolitan hotel in Las Vegas on January 2nd at 3:04pm:

[https://drive.google.com/open?id=1DnbwVgR9AofVcy3HUnRYC\\_f8sGAQ7ohO](https://drive.google.com/open?id=1DnbwVgR9AofVcy3HUnRYC_f8sGAQ7ohO)

This is a timeline of the audio recording

Timeline	Event
0:00 - 0:55	His Pitch
0:55 - 3:10	Sob Story (also part of pitch)
3:10 - 3:25	Explain why he needs us
3:25 - 4:00	Explains our compensation
4:00 - 4:50	Pitch
4:50 - 5:05	Testimonials

5:05 - 5:15	Saffrons created Genesis Mining (USI Tech)
5:15 - 5:30	Saffron created USI Tech's renewable energy technology
5:40 - 6:00	Saffrons an inventor
6:00 - 7:00	Saffron wants other to rise with him
7:00 - 7:10	Saffrons client list (Evan Ahern, Mark Cuban, Maloof
7:10 - 8:00	How to get started

Over the next 5 days, Bitcoin was given to David Saffron daily as shown in this spreadsheet:

<https://drive.google.com/open?id=1OqCliipMvHh5-ooThuKiAatsSGdXFrP2>

On the 11th of January Saffron allowed me to record video of his "trading bot":

<https://drive.google.com/open?id=1meOLkCiW1YmFBZplyNiwR3a3A5kLyRJh>

#### **Updates Since the above:**

David created and launched bitm8.io, then theomicrontrust.com, which was renamed to circlesociety.com over a course of 5 months. I kept in touch with him and continued to request that he pay out what is owed to us. At this point David stated that he would be able to pay us should I promise to get him more investment in his websites. He finally paid a portion of what he owed (100btc) to us with the condition that we reinvest a portion on his new site or get more investors.

Being unwilling to publicize of promote David at all, we simply reinvested a portion under various pseudonyms which is now stuck in his website pending release. From the conversations with other investors like Rodney Burton, they have still not been paid by David and various excuses have been implemented.

**KAGEL LAW**  
A Professional Corporation  
**1801 Century Park East, Suite 1201**  
**Los Angeles, CA 90067**  
**TELEPHONE: (310) 860-9975**  
**E-MAIL: dkagel@earthlink.net**

January 7, 2018

Hitesh Juneja  
Jason Rose  
J&H Business Institute Corp., LLC

Cypress TX

Gentlemen:

This firm acts as counsel to David Saffron. We understand that you will be depositing bitcoin and other forms of cryptocurrency with Mr. Saffron which he will be investing on your behalf. He has agreed to return your investment to you together with a profit. In order to assure that your deposit will be returned in the event that Mr. Saffron is unable or unwilling to do so he has deposited at least one thousand bitcoin in a wallet to which he has given us access. He has agreed to at all times maintain the deposit in the wallet and give this firm unrestricted access to it. If you have not received the return of your deposit from Mr. Saffron following ten business days' notice to him with a copy to us, upon five business days' notice to us we will return your deposit from the aforementioned wallet.

You agree to copy us on all written communication between you and Mr. Saffron and to advise us of the contents of all verbal communications between the two of you.

Very truly yours,

Kagel Law, a Professional Corporation

By   
David L. Kagel

**Exhibit 19 - Materials Produced by Participant 5**

Message

---

**From:** Kameron Pollock [kameron.pollock7@gmail.com]  
**Sent:** 10/10/2018 4:35:28 PM  
**To:** Amakor, Michael O. [/o=CFTC/ou=Washington, DC/cn=Recipients/cn=mamakor]  
**Subject:** Re: Subpoena from the CFTC  
**Attachments:** Screen Shot 2018-10-10 at 1.33.23 PM.png

Thank you Michael,

Here are my answers

1. All communications with David Saffron;

None

2. All communications with David Kagel;

None

3. All video or audio recordings of David Saffron;

None

4. All video or audio recordings of David Kagel;

None

5. All documents relating to any investment with David Saffron;

None

6. All documents relating to any potential investment with David Saffron;

None

7. Account statements relating to any investment with David Saffron;

None

8. Bank records relating to any investment with David Saffron;

None

9. Marketing materials relating to any investment with David Saffron;

None

10. All documents relating to Bitcoins provided to David Saffron.

Here is a screenshot of the bitcoin I sent to Nathan Van Tuyl. (provided Below)

Thank you Michael,

Kameron Pollock

On Wed, Oct 10, 2018 at 1:15 PM Amakor, Michael O. <[mamakor@cftc.gov](mailto:mamakor@cftc.gov)> wrote:

Dear Mr. Pollock,

As discussed please fill in your responses along with your experiences for each of the elements:

**Documents To Be Produced Pursuant To Subpoena**

For the subpoena period, please produce the following documents and communications:

1. All communications with David Saffron;
2. All communications with David Kagel;
3. All video or audio recordings of David Saffron;
4. All video or audio recordings of David Kagel;
5. All documents relating to any investment with David Saffron;
6. All documents relating to any potential investment with David Saffron;
7. Account statements relating to any investment with David Saffron;
8. Bank records relating to any investment with David Saffron;
9. Marketing materials relating to any investment with David Saffron;
10. All documents relating to Bitcoins provided to David Saffron.

Sincerely

Michael

---

**From:** Amakor, Michael O.  
**Sent:** Wednesday, October 10, 2018 10:14 AM  
**To:** 'Kam'  
**Subject:** RE: Subpoena from the CFTC

Kam, please call me at 202-418-5553

---

**From:** Kam [mailto:[kameron.pollock7@gmail.com](mailto:kameron.pollock7@gmail.com)]  
**Sent:** Tuesday, October 09, 2018 10:21 PM  
**To:** Amakor, Michael O.  
**Subject:** Re: Subpoena from the CFTC

Hi I am very confused? Can you please explain what this is?

Thank you

Kameron Pollock

Sent from my iPhone

On Oct 9, 2018, at 1:17 PM, Amakor, Michael O. <[mamakor@CFTC.gov](mailto:mamakor@CFTC.gov)> wrote:

Dear Mr. Pollock,

Please find attached a Subpoena and two related documents from the U.S. Commodity Futures Trading Commission's ("CFTC") Division of Enforcement in the matter of David G. Saffron and David Kagel.

Should you have any questions please contact me, thank you.

Sincerely,

<image002.jpg>Michael O. Amakor

**Futures Trading Investigator**

Division of Enforcement, U.S. Commodity Futures Trading Commission

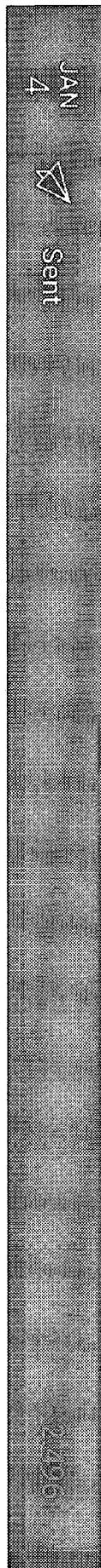
1155 21<sup>st</sup> Street, NW | Washington, DC 20581 | Tel: 202.418.5553 | Fax  
202.418.5124

The previous message is a private U.S. Government communication. This message and all attachments are a private communication sent by a Federal Investigator and may be confidential or protected by privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the information contained in or attached to this message is strictly prohibited. Please notify the sender of the delivery error by replying to this message, and then delete it from your system.

<Subpoena to Kameron Pollock.pdf>

<CFTC Subpoena Statement.pdf>

<CFTC Data Delivery Standards.pdf>



**Exhibit 20 - Materials Produced by Participant 7**

**KAGEL LAW**  
A Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
TELEPHONE: (310) 860-9975  
E-MAIL: dkagel@earthlink.net

January 8, 2018

Nathan Van-Tuyl  
NVanthuyl@gmail.com

Dear Mr. Van-Tuyl;

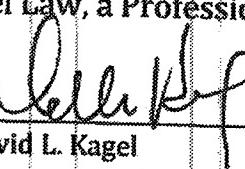
This firm acts as counsel to David Saffron. We understand that you will be depositing bitcoin and other forms of cryptocurrency with Mr. Saffron which he will be investing on your behalf. He has agreed to return your investment to you together with a profit. In order to assure that your deposit will be returned in the event that Mr. Saffron is unable or unwilling to do so he has deposited at least one thousand bitcoin in a wallet to which he has given us access. He has agreed to at all times maintain the deposit in the wallet and give this firm unrestricted access to it. If you have not received the return of your deposit from Mr. Saffron following ten business days' notice to him with a copy to us, upon five business days' notice to us we will return your deposit from the aforementioned wallet.

You agree to copy us on all written communication between you and Mr. Saffron and to advise us of the contents of all verbal communications between the two of you.

Very truly yours,

Kagel Law, a Professional Corporation

by

  
David L. Kagel

Lending Date	Name	BTC Lent	Return	Delay Bonus	Return	Referrer	Release Date
1/2/18	Rodney	25	75	3-1	Nathan	1/8/18	
1/3/18	Nathan	10	30	3-1			1/5/18
1/4/18	Nathan	16	48	3-1			1/7/18
1/4/18	Hitesh	20	60	70	3-1	Nathan	1/7/18
1/4/18	Kam	2.5	5	2.5	2-1	Nathan	1/7/18
1/5/18	Rodney	27	79	25	3-1	Nathan	1/8/18
1/5/18	Jamison	50	100	50	2-1	Rodney	1/8/18
1/6/18	Dee W	5	10	5	2-1	Rodney	1/9/18
1/6/18	Tavor	1	2	1	2-1	Rodney	1/9/18
1/6/18	Frank	50	100	50	2-1	Rodney	1/9/18
	Total	206.5	509	203.5			









Search



Nathan Home

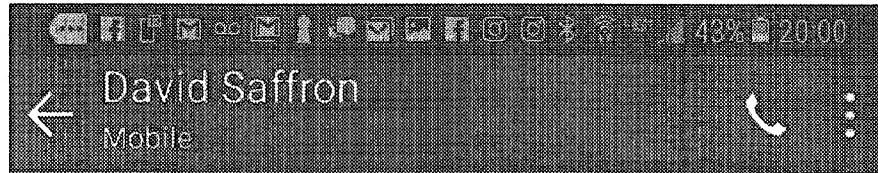


r.

Iger

Hey Burton, ... Wed  
com/reports/da...

The day of your release, I'll ask for your BTC  
address to confirm it is correct.  
Text me for my BTC address to get started.



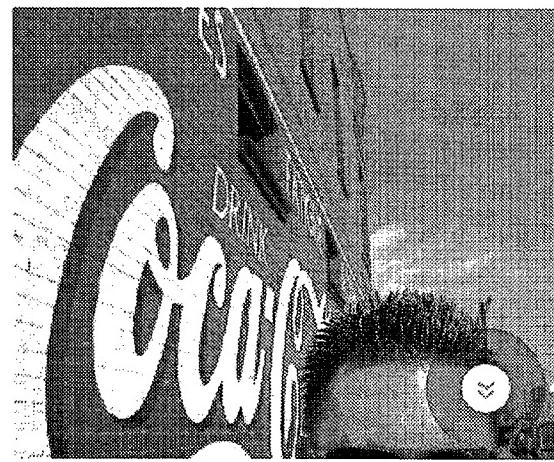
19:28

David it has been a few weeks, let's connect soon. Your Dad said you were in rough shape but now doing better. Looking forward to hearing about our results. When is the next meeting? Things are looking up.

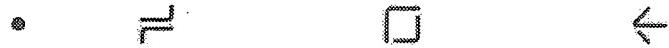
Sorry who is this ???  
My phone blanked

The biggest producer on the planet!

Music or film



+ Type a message...



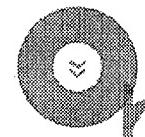


Oh yes ok  
I'm doing better  
I'm currently in Boston for meetings  
Nyc tomorrow  
Then Atlanta  
Then Texas

Your gonna have to remind me how many coins owed if any

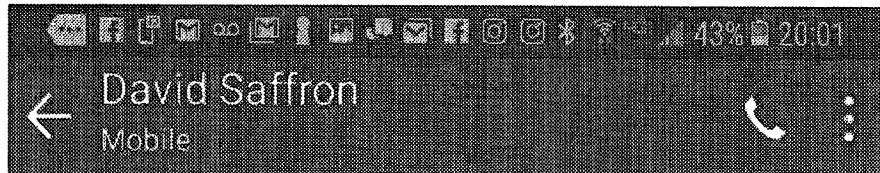
My phone and computer where stolen

Just direct me to the account



+ Type a message...





Just direct me to the account manager. I want to check my balance and submit a withdraw request. I am negotiating a 15 acre land deal in North Carolina. Need some funds.



RE: Mr. David Saffron's failure to return the Bitcoin he has been nonresponsive to our clients' attempts to contact him. I Saffron promised to pay the investors back. Moreover, through made to Mr. Kagel seeking to return the investors' deposit, it now appears that Mr. Kagel seems to be back-pedaling on his cryptocurrency wallet.

re, please let this letter serve as our clients' ten business day notice of bitcoin or cryptocurrency in Mr. Saffron's Bot Investment letter is being sent to both David Saffron and David Kagel pursuant to the January 2018 letter.

Finally, the following investors are requesting the return of the bitcoins held during the time period of January 2, 2018 through January 6, 2018:

Initial set of investors demanding a return of the above described in

Rodney Burton	50.0	Bitcoins
Frank E. Calabro Jr.	50.0	Bitcoins
Hitesh Junega	20.0	Bitcoins
Michael Jamison Palmer	50.0	Bitcoins
Kameron Pollock	2.5	Bitcoins
Nathan Van Tuyl	28.0	Bitcoins
Dee Washington	5.0	Bitcoins
<u>Eddie Wilds</u>	<u>1.0</u>	<u>Bitcoin</u>

For a total of 206.5 Bitcoins deposited and not returned.

from Mr. Kagel in his January 7, 2018 letter to our client investors [redacted] [redacted] David Saffron] has agreed to at all times maintain the deposit in a trust account and to provide [redacted] give this firm unrestricted access to it. If you have not received the deposit from Mr. [redacted] [redacted] [redacted] business days' notice

Apparently there's a lawyer involved  
for you on the claim it's 50 coin  
I have all of the 206.5 going to him

+ Type a message...

